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URBAN/MUNICIPAL

MINUTES OF THE MEETINGS
OF THE COUNCIL OF
HAMILTON

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, JANUARY 13, 1987
7:30 O'CLOCK, P.M.

CA4 ON HRC P91
B76
1987

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross.

The Reverend Shinji Kawani, Japanese United Church, led the Council in prayer.

His Worship Mayor Robert M. Morrow called the meeting to order.

His Worship Mayor Robert M. Morrow made presentations to:

(a) Mr. Paul Marshall to recognize his receipt of the Corps D'Elite Regional Award.

(b) Certificate of Recognition to Mr. Geoff Barett.

His Worship Mayor Robert M. Morrow read the following proclamations:

(a) "National Non-Smoking Week" January 15th to January 21st, 1987.

(b) "McMaster Year" in recognition of the University's 100th Anniversary.

JAN 13

On Monday, January 12, 1987, the City of Hamilton embarked on a recycle of glass and can programme and, as part of the kick-off campaign, Alderman Merling presented Members of Council with recycling baskets.

Alderman Murray advised the Council that Mr. John Crane, Director of Copps Coliseum, was presented with a plaque from the Athletic Business Magazine in recognition of The Victor K. Copps Trade Centre/Arena being designated as an outstanding sports/recreation facility.

The minutes of the meeting of December 9, 1986 and the special meetings of December 16, 1986 and December 22, 1986 were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Letter of appreciation from St. Joseph's Hospital Building Campaign for recent contribution to building campaign, dated December 10, 1986. NOTED.

2. Letter of appreciation from The Hamilton Firefighters Drum Corps for the financial support extended to them to enable the Corps to participate in the recent Grey Cup Parade in Vancouver, B.C., dated December 23, 1986. NOTED.

3. Application from Mr. R. Quinn, 26 Baraniuk Street, St. Catharines, Ontario, for a change in zoning, property located at 1489 to 1495 Upper Gage Avenue, dated December 9, 1986.

4. Application from Janet Christine Unsworth, 14 Duke Street, Hamilton, Ontario, for modification to "E-3" District regulations for property located at 14 Duke Street, dated December 11, 1986.

5. Application from Paletta Internationsl Corporation, 21 Brockley Drive, Hamilton, Ontario, for modification to the "E-2" District regulations for property located at the south-west corner of Barton Street and Bell Manor Street, dated December 11, 1986.

6. Application from Parshotam (Peter) Dhulla, 68 Montmorency Drive, Hamilton, Ontario, for modification to "H" District regulations for property located at 81, 85, 89 and 91 Cannon Street West, dated December 12, 1986.

7. Application from Mr. Frank Silvestri, Suite 204, 989A Fennell Avenue East, Hamilton, Ontario, for a change in zoning, property located at the rear of 1446 to 1464 Upper Ottawa Street, dated December 19, 1986.

8. Application from 381069 Ontario Ltd., Nicolo Pepe, 32 Braecrest Drive, Stoney Creek, Ontario, for a change in zoning, property located at 828 Fennell Avenue East, dated December 22, 1986.

9. Application from Cochren Construction Co. Limited, 202 North Shore Boulevard East, Burlington, Ontario, for a change in zoning, vacant lands on the west side of the proposed extension of Greenhill Avenue, adjacent to the T.H. & B. railway, dated December 24, 1986.

10. Application from Alan D. Cooper and Patricia Wallace, 180 Dufferin Street, Hamilton, Ontario, for modification to "E-3" District regulations to permit law offices located at 131 Charles Street, dated December 24, 1986.

11. Application from Galwan Canada Limited, 1030 Upper James Street, Suite 400, Hamilton, Ontario, for a change in zoning, property located at Nos. 1255 and 1259 Upper Gage Avenue,dated January 7, 1987.

12. Application from Ron Lee (In Trust), 1834 Waterdown Road, Burlington, Ontario, for a change in zoning, property located at 134 Ferguson Avenue North, dated January 7, 1987.

13. Application from Marz Homes Limited, 115 Highway No. 8, Stoney Creek, Ontario, for a change in zoning, property located at 613 Limeridge Road East, dated January 8, 1987.

14. Application from Marz Homes Limited, 115 Highway #8, Stoney Creek, Ontario, for a change in zoning, property located at 623 Limeridge Road East, dated January 8, 1987.

15. Application from The Cadillac Fairview Corporation Limited, c/o Limeridge Mall Administration Office, 999 Upper Wentworth Street, Hamilton, Ontario, for modification to the "AA" District regulations for lands at the north-east corner of Upper Wentworth Street and Limeridge Road East, dated January 8, 1987.

16. Letter from Rymal Developments (1986), 156 Rymal Road East, Hamilton, Ontario, re demolition permit for 2774 King Street East, Hamilton, Ontario, dated January 8, 1987.

* *

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole to consider the following Reports, with Mayor Morrow in the chair.

* *

(A) EXECUTIVE COMMITTEE - FIRST REPORT.

It was moved by Alderman Merling and seconded by Alderman Copps.

RESOLVED: that Subsection (f) of Section 1 be amended by adding the following:

"and be financed from within the Mayor's budget." -

YEAS: Aldermen Kiss, Hinkley, Copps, Merling. - 4.

NAYS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Valeriano, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Murray, Ross. - 13. LOST.

* *

Recorded vote on Section 6.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Collins, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 13.

NAYS: Aldermen Kiss, Valeriano, Copps, Christopherson. - 4. CARRIED.

* *

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - FIRST REPORT.

Alderman V. J. Agro declared personal interest in, took no part in the debate, and refrained from voting on Subsection (b) of Section 20. His brother owns property on the street.

* *

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that Subsection (g) of Section 20 be tabled. - CARRIED.

* *

It was moved by Alderman Agro and seconded by Alderman Kiss.

RESOLVED: that Subsection (a) of Section 23 be amended by deleting the number "eight" immediately before the word "additional" in the first line, and substituting in lieu thereof the number "four" and, further, by amending the figure "$277,000" in the notation section accordingly. -

YEAS: Aldermen Kiss, Agro, Smith, Cowell. - 4.

NAYS: Aldermen Cooke, McCulloch, Valeriano, Hinkley, Copps. Christopherson, Collins, Wheeler, Gallagher, Merling, Murray, Ross. - 12. LOST.

* *

Recorded vote on Section 23.

YEAS: Aldermen Cooke, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Gallagher, Merling, Murray, Ross. - 12.

NAYS: Aldermen Kiss, Agro, Smith, Cowell. - 4. CARRIED.

* *

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the construction of a preliminary road on GUILDWOOD DRIVE and GOLFWOOD DRIVE. - CARRIED.

* *

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that the following be added as Section 26.

"WHEREAS Council on April 29, 1986, approved the construction of services for Gurnett Estates - Phase 3;

WHEREAS the City's subdivision agreement does not provide for the construction of preliminary roads;

WHEREAS the City's policies provide for the construction of preliminary roads at the option of the developer; and

WHEREAS the subdivider is forced into a preliminary road by the winter weather in order to maintain through traffic movement.

It is now resolved

That the subdivision agreement for Gurnett Estates - Phase III, be amended to provide for the construction of a preliminary road on

Guildwood Drive from Trevi Road to Golfwood Drive, and

Golfwood Drive from Guildwood Drive to west limit of subdivision

subject to standard City payments and terms. - CARRIED.

* *

(C) PARKS AND RECREATION COMMITTEE - FIRST REPORT.

It was moved by Alderman Merling and seconded by Alderman Wheeler.

RESOLVED: that Section 7 be referred back. - CARRIED.

* *

(D) PLANNING AND DEVELOPMENT COMMITTEE - FIRST REPORT.

Alderman Mary Kiss declared personal interest in, took no part in the debate, and refrained from voting on Section 8 as her home abuts this hydro property.

* *

Recorded vote on calling of the previous question on Section 9.

YEAS: Aldermen Gallagher, Merling. - 2.

NAYS: Aldermen Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Cowell, Murray, Ross. - 13. LOST.

* *

It was moved by Alderman Christopherson and seconded by Alderman Wheeler.

RESOLVED: that Section 9 be amended by deleting the word "not" immediately after the word "approval" in the first line. -

YEAS: Aldermen Cooke, Kiss, Hinkley, Christopherson, Collins, Wheeler. - 6.

NAYS: Aldermen Agro, McCulloch, Valeriano, Copps, Smith, Cowell, Gallagher, Merling, Ross. - 9. LOST.

* *

It was moved by Alderman McCulloch and seconded by Alderman Valeriano.

RESOLVED: that Section 9 be tabled. -

YEAS: Aldermen Cooke, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler. - 8.

NAYS: Aldermen Agro, Smith, Cowell, Gallagher, Merling, Ross. - 6. CARRIED.

* *

(E) LEGISLATION COMMITTEE - FIRST REPORT.

It was moved by Alderman Agro and seconded by Alderman Christopherson.

RESOLVED: that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit the introduction of two Bills dealing with Bingoes. - CARRIED.

* *

It was moved by Alderman Agro and seconded by Alderman Christopherson.

RESOLVED: that the following be added to Section 8 as Subsections (b) and (c):

"(b) Bill E-2 By-law to Amend Licensing By-law No. 79-323 Respecting Bingo Parlours.

(c) Bill E-3 By-law to Amend Lottery Licence By-law No. 78-130 Respecting Bingo Lotteries." - CARRIED.

* *

It was moved by Alderman Agro and seconded by Alderman Collins.

RESOLVED: that the following be added as Section 9.

"9. That the composition of the French Sub-Committee be increased from 5 francophone members to 6 francophone members.

NOTE: City Council, with the adoption of Section 6 of the First Report of the Legislation Committee on 1985 January 29, established a French Sub-Committee to be composed of 5 francophones and 2 members of City Council to report to the Legislation Committee. - CARRIED.

* *

It was moved by Alderman Ross and seconded by Alderman Smith.

RESOLVED: that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to introduce a resolution re the "Steeler Mile". - CARRIED.

* *

It was moved by Alderman Ross and seconded by Alderman Smith.

RESOLVED: that the City of Hamilton assume the liability of the Canadian Runners Inc. (a non-profit volunteer organization), and all volunteers working on the Steeler Mile which is to be held in Hamilton on Sunday, February 1, 1987, as an associated event to Winterfest. This coverage for the day of the event only. - CARRIED.

* *

(F) PERSONNEL COMMITTEE - FIRST REPORT.

* *

(G) HAMILTON LICENSING COMMITTEE - FIRST REPORT.

* *

(H) HIS WORSHIP MAYOR R. M. MORROW - FIRST REPORT.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that Subsection (3) of Section 5 of Procedural By-law 82-203 be suspended for this meeting of City Council. -

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Ross. - 14.

NAYS: Alderman Collins. - 1. CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of the Whole on the above reports as amended, and resolutions, be adopted. - CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a first time:

A-1, A-2,
B-1, B-2, B-3,
D-157, D-158, D-159, D-160, D-163, D-164, D-165,
D-1, D-2, D-3, D-4,
E-1, E-2, E-3. - CARRIED.

* *

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Mayor Morrow in the chair.

A-1, A-2,
B-1, *B-2, B-3,
D-157, D-158, D-159, D-160, D-163, D-164, D-165,
D-1, D-2, D-3, D-4,
**E-2, **E-3.

*It was moved by Alderman Merling and seconded by Alderman Ross.

RESOLVED: that Section 4 of Bill B-2 be amended by deleting the following:

"and by adding thereto the following item namely:-

Bond	West	Commencing at a point 312 feet South of King to a point 29 feet Southerly therefrom." - CARRIED.

* *

**Recorded vote on Bill E-2

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Smith, Ross. - 11.

NAYS: Alderman Copps. - 1. CARRIED.

**Recorded vote on Bill E-3.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Smith, Ross. - 11.

NAYS: Alderman Copps. - 1. CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the Report of the Committee of the Whole (second reading) on the Bills be adopted. - CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a third time.

A-1, A-2,
B-1, B-2, B-3,
D-157, D-158, D-159, D-160, D-163, D-164, D-165,
D-1, D-2, D-3, D-4,
E-1, E-2, E-3. - CARRIED.

* *

Council adjourned at 12:00 o'clock, midnight.

* *

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its **FIRST** Report for 1987 and respectfully recommends:

1. The Executive Committee wishes to advise that it has taken the following actions with respect to applications for subsidy from the HECFI Special Events Subsidy Fund:

   a) Agreed to underwrite losses of up to $27 500 if incurred, by the **91st Highlanders Athletic Association** in staging the 1987 Hamilton Spectator Indoor Games in Copps Coliseum in February, 1987.

      NOTE: The 91st Highlanders Athletic Association is required, following the event to provide the City with an audited financial statement which shall be the basis upon which the subsidization is made, if any is required.

   b) **Approved** a subsidy in the amount of $12 849. for use of the Hamilton Convention Centre by the **Hamilton Area Challenge Square Dancers** in respect to their annual convention on November 6 - 8, 1986.

   c) **Denied** the request for subsidy in the amount of $10 000. for use of the Hamilton Convention Centre by the **Ontario Association of the Homes for the Aged** in respect to their convention on September 14 - 17, 1986.

   d) **Denied** the request for subsidy in the amount of $3 620. for use of the Hamilton Convention Centre by the **Pollution Control Association of Ontario** in respect to their annual convention on April 28 - 29, 1986.

   e) **Denied** the request for subsidy in the amount of $16 250. for use of the Hamilton Convention Centre by the **Association of Central Canada Broadcast Engineers** in respect to their convention on November 11 - 13, 1986.

   * f) **Approved** a subsidy in the amount of $19 000 representing stage labour and equipment rentals incurred for the **1986 Canadian International Animated Film Festival** held at Hamilton Place on September 29 - October 4, 1986.

      NOTE: For the information of the Members of City Council, the Executive Committee approved this subsidy subject to a letter from the Organizers of the Festival being filed with the City Clerk, confirming that the Mayor's letter dated March 21, 1986 to that organization is not considered by them (Canadian International Animated Film Festival), to be legally binding and will not be held as a commitment on behalf of the City. This subsidy of $19 000. is in addition to the $21 000. subsidy approved previously to cover the rental charges at Hamilton Place.

*** Proposed Amendment to Section 1(f) lost,**
Recorded Vote see page 3

2. That HECFI be authorized to proceed with the installation of a plaque at Copps Coliseum with the names of the Mayor, Members of City Council, Chairman and Members of the HECFI Board of Directors who were serving as of November 30, 1985 as set out in Schedule "A" as attached.

   NOTE: With the adoption of Section 20 of the Seventeenth Report of the Executive Committee, City Council at its meeting on August 26, 1986 approved the placement of an appropriate plaque on Copps Coliseum containing the names of those individuals who played a significant role in the construction of this facility.

3. That any Members of City Council who wish to attend, be authorized to attend the First Canadian Conference on Urban Infrastructure to be held in Toronto on February 5 and 6, 1987.

   NOTE: This Conference is being co-sponsored by the Federation of Canadian Municipalities and the Universities of Toronto and Alberta.

4. That the Council of the Corporation of the City of Hamilton express its concern for the possible closure of the Arts Studio in the Arts and Arts History Department of McMaster University, and its possible effects on the continued growth of arts in the community.

5. That the Federation of Canadian Municipalities be congratulated and thanked for the role it played in bringing about the decision of the Minister of Communications to defer changes in the Municipal Fee Structure as they apply to radio licence fees for Municipalities and volunteer fire departments.

* 6. (a) That the 825 space parking structure provided for in the 1987 portion of the 1987-1991 Capital Budget in the amount of $6.6 million be formally approved as part of the 1987-1991 Capital Budget and proceeded with at this time.

   (b) That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct an 825 space parking structure at an estimated cost of $6.6 million, with no eligible subsidies, by the issuance of debentures for a period not to exceed 15 years, recoverable from the City of Hamilton Reserve for Off Street Parking, created by Section 208, Subsection 55(e), of the Municipal Act and further that the application be made to the Regional Municipality of Hamilton-Wentworth to issue additional debentures in the amount of $6.6 million for a term not to exceed 15 years.

*** Recorded Vote see page 3**

7. That leave be granted to introduce the following Bills:

   (a) Bill A-1 : To Authorize an additional expenditure for the purchase of a Fire Station Pump Truck.

   (b) Bill A-2 : A By-law to Confirm the proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted

Mayor R. M. Morrow, Chairman
Executive Committee

J. J. Schatz, Secretary
Executive Committee

1986 December 11
1987 January 8
/dg

VICTOR K. COPPS TRADE CENTRE/ARENA

CITY COUNCIL
1983 - 1985

Mayor Robert M. Morrow

Ward 1 Alderman Mary Kiss
Alderman Paul Drage

Ward 2 Alderman William McCulloch
Alderman Vince Agro

Ward 3 Alderman Brian Hinkley
Alderman William Powell

Ward 4 Alderman Vince Scott
Alderman Don Gray

Ward 5 Alderman Shirley Collins
Alderman Fred Lombardo

Ward 6 Alderman Paul Cowell
Alderman Ian Stout

Ward 7 Alderman Henry Merling
Alderman Bruce Charlton

Ward 8 Alderman James A. Bethune
Alderman Tom Murray

PLAQUE OF VICTOR COPPS

Victor K. Copps, the Mayor of Hamilton from 1963 to 1976, etc. etc.

Official Opening
November 30, 1985

CONSTRUCTION COMMITTEE

Alderman Brian Hinkley - Chairman

Mayor Robert M. Morrow - Member
Alderman Don Gray - Member
Alderman James A. Bethune - Member

HAMILTON ENTERTAINMENT AND CONVENTION FACILITIES INC. INTERIM BOARD 1985

David O. Braley - Chairman

Jack Jaggard - 1st Vice-Chairman
Alderman Don Gray - 2nd Vice-Chairman

Mayor Robert M. Morrow
Alderman James A. Bethune
Alderman Brian Hinkley
Alderman Tom Murray
Tom Casey
David M. Hector
Webb H. McFarland
Reg Wheeler
Terry Yates
Sam Cino
Patrick O. Valeriano

1/13/87

Schedule "A" as referred to in Section 2 of the First Report of the Executive Comm.

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Transport and Environment Committee presents its **FIRST** Report for 1987 and respectfully recommends:

1. That an Option to Purchase the property of Jennie Leone Jackson and The Estate of Catherine Elizabeth Nash, duly executed on December 17, 1986 and scheduled for closing on or before March 16, 1987 be completed.

   NOTE: The property being acquired in fee simple is required for open storm water drainage channels, sanitary and incidental storm sewer outlets, park and open space. It consists of a 66' wide parcel of vacant "valley type" lands located to the south of King Street East between Nash Road South and Greenhill Avenue comprising an approximate area of 1 acre (more or less).

   In addition, a temporary 66' construction easement adjacent to the lands being purchased in fee simple is also being acquired in accordance with schedules "B" and "D" attached to the said Option.

   The purchase price is $4 200 per acre applied to the area of the lands required in fee simple as determined by survey (approximately 1 acre), $1 for the temporary construction easement and $700 for legal fees.

   It is understood and agreed that the temporary construction easement rights being granted herein to the City shall terminate upon completion of construction of the works within the lands but no later than November 14, 1987.

   The City shall indemnify and hold the Owner harmless from and against any and all liabilities, suits, claims, demands, costs and actions of any kind to which the Owner may become liable for as a result of the City or its agents entering upon the Owner's lands for the purposes of exercising any of the City's rights pursuant to this Option Agreement.

   As far as possible, the City will restore the Owner's lands which are subject to the temporary construction easement to the same condition as existed before the City exercised its temporary construction easement rights.

2. (a) That the Corporation of the City of Hamilton as expropriating authority, apply to the Council of The Corporation of the City of Hamilton as approving authority for approval to expropriate the following land for roadway purposes:

Part of Lot 19, Concession 8, in the geographic Township of Barton, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, designated as Parts 1 and 2 as shown on a Reference Plan deposited in the Land Registry Office at Hamilton as Plan 62R-8497.

(b) That the City Clerk be authorized and directed pursuant to The Expropriations Act to:

i. give Notice of the City's application to all owners, registered owners and tenants (as defined in The Expropriation Act) of the said lands;

ii. advertise Notice of the City's application in a newspaper as required by The Expropriations Act;

iii. sign and receive the said application for approval to expropriate.

3. (a) That the City Solicitor be authorized and directed to prepare a By-law to incorporate parts of Block 19 (.030^{m} reserve) Plan M-471 designated as Parts 4 and 5 Reference Plan 62R-8468 into Quincy Court.

(b) That the City Solicitor be authorized and directed to prepare a By-law to incorporate Parts 4 & 5, Plan 62R-7727 into Rexford Drive.

(c) That the City Solicitor be authorized and directed to prepare a By-law to incorporate Part 1, Plan 62R-8437 into Guildwood Drive.

4. (a) That Item #23 of the 14th Report of the Transport and Environment Committee approved by Council on July 22, 1986, respecting an inadvertent encroachment agreement for 5 Hunt Street North be rescinded; and

(b) That the application of the owner(s) of 5 Hunt Street North, Joseph and Rodica Brugger, to retain the following inadvertent encroachment consisting of concrete and wood porch and steps, 0.78m by 3.08m be approved, during the pleasure of City Council provided:

i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

ii. An annual fee of $35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

5. (a) That Item #25(e) of the 16th Report of the Transport and Environment Committee approved by Council on September 30, 1986, respecting an encroachment agreement for 376 Hunter Street West, be rescinded; and

(b) That the application of Joyce Doyle and Alexander Doyle, owner(s) of 376 Hunter Street West, to retain the following inadvertent encroachments on Poulette Street:

- one storey brick house, 0.37m by 11.0m

- wood deck and frame bin, 2.94m by 4.88m,

be approved, during the pleasure of City Council provided:

i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

ii. An annual fee of $35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

6. (a) That Item #7 of the 18th Report of the Transport and Environment Committee approved by Council on October 28, 1986, respecting an encroachment agreement for 64 Fullerton Avenue be rescinded; and

(b) That the application of U.N.H. Incorporated, the owner(s) of 64 Fullerton Avenue to retain the following inadvertent encroachment consisting of steps, 0.46m by 1.22m, be approved, during the pleasure of City Council provided:

i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

ii. An annual fee of $35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

7. (a) That Item #12(c) of the 19th Report of the Transport and Environment Committee approved by Council on November 11, 1986, respecting an encroachment agreement for 476 James Street North, be rescinded; and

(b) That the application of the owner(s) of 476 James Street North, Ivan John Kisic, to retain the following inadvertent encroachment on Ferrie Street, consisting of a wood porch, 0.05m by 6.71m be approved during the pleasure of City Council, provided:

i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

ii. An annual fee of $35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

8. That the application of Norman E. Byrne, Solicitor, on behalf of the present owner(s) of 115 Roxborough Avenue, Beatrice Marie Kinnaird, or in the event that the sale of the above property is concluded prior to registration of the encroachment agreement, Joyce Irene Wilson, the purchaser of said property, to retain the following inadvertent encroachment, consisting of a frame porch, 4.57m by 0.09m, be approved during the pleasure of City Council, provided:

(a) That the owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

(b) That a first year fee of $140 and subsequent annual fee of $35 be set for this privilege.

(c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

9. (a) That the authorization granted by City Council on December 10, 1985 in adopting Item 65 of the 1st Report of the Transport and Environment Committee, respecting an inadvertent encroachment agreement at 76 East Avenue North, be rescinded;

(b) That authorization be granted to the City Solicitor's Department to initiate such legal action as may be necessary to protect the City's interest.

10. (a) That the "Young Drivers of Canada" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from May 18, 1987 to May 25, 1987, subject to the policy guidelines and conditions approved by Council on October 29, 1985 and September 30, 1986, with the following message: **"Young Drivers Championships".**

(b) That the "Canadian Warplane Heritage" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from June 8, 1987 to June 22, 1987, subject to the policy guidelines and conditions approved by Council on October 29, 1985 and September 30, 1986, with the following message: **"Aeroheritage '87 the Hamilton International Airshow June 20-21 Featuring, Warbirds, Jets, etc."**

(c) That the "91st Highlanders Athletic Association" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from February 9, 1987 to February 16, 1987, subject to the policy guidelines and conditions approved by Council on October 29, 1985 and September 30, 1986, with the following message: **"Hamilton Spectator Indoor Games, Copps Coliseum, 7:15 p.m., Friday, February 13th, 1987".**

(d) That the "Hamilton-Wentworth Catholic School Board" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from March 9, 1987 to March 16, 1987, subject to the policy guidelines and conditions approved by Council on October 29, 1985 and September 30, 1986, with the following message: **"Welcome Hamilton-Wentworth Catholic School Board, Science Fair, Convention Centre".**

(e) That the "Canadian Tinplate Recycling Council" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from January 19, 1987 to January 26, 1987, subject to the policy guidelines and conditions approved by Council on October 29, 1985 and September 30, 1986, with the following message: **"Hamilton Recycles - Help Out By Pitching In!"**

11. (a) That the following changes be made in the charges per tonne of overload:

PER METRIC TONNE

Type of Vehicle	Current Charge	Proposed Charge	% Increase
Tractor Trailer	$ 73	$ 82	12%
Single Unit Truck	$122	$137	12%

(b) That the annual overload permit fees be reviewed each year.

12. (a) That in accordance with By-Law 66-100 that the Steel Company of Canada be given an annual overload permit for the year 1987 for ten vehicles for a total fee of $3 800.50.

(b) That 12% or $456.06 be credited to City account number 0404-27345 and that 88% or $3 344.44 be credited to Regional account number 0319-7610.

13. (a) That the construction of the concrete alley in the block bounded by Rosslyn Avenue, Roxborough Avenue, Kensington Avenue and Cannon Street as a local improvement on petition pursuant to Section 11 of The Local Improvement be approved.

3.66m wide concrete alley in the block bounded by Rosslyn Ave., Roxborough Avenue., Kensington Ave. and Cannon Street

Project 801-71H

Total Estimated Cost	$32 000.00
Owner's Share	$14 981.28
City's Share	$17 018.72

Reduction under Section 28 of the Act - NIL

(b) That the City Solicitor be directed to make application for approval under Section 64 of The Ontario Municipal Board Act.

(c) That the Commissioner of Engineering be authorized to construct this alley on behalf of the City of Hamilton once all the necessary approvals have been received.

(d) That the Executive Committee recommend the amount and source of funds to be provided for this Capital Project.

14. (a) That the City Solicitor be directed to prepare a By-law for the stopping-up, closing and sale to the abutting owner, Charles Russell Almas and the estate of Helen Adelaide Almas, of the unopened road allowance between Lots 54 and 55, Concession 3, formerly in the Township of Ancaster, now in the City of Hamilton, over Part 2 as shown on reference plan 62R-7526; and

(b) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980 of City Council's intention to pass the By-law; and

(c) That the Director of Real Estate be directed to proceed with the disposition of the said lands to the abutting owner; and

(d) That the applicant register a reference plan under the Registry Act, the plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor and to delineate the manner in which the closed street is to be distributed to abutting owner(s), and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor; and

(e) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing pursuant to Section 48 of the Regional Act.

15. (a) That the City Solicitor be authorized to make an application to a County Court Judge under Section 82 of the Registry Act. R.S.O. 1980 for an order closing Part 2 on Plan 62R-8417 of the first alley north of Main Street, between New Street and Strathcona Avenue;

(b) That the City Solicitor be authorized to prepare and register the necessary deeds in favour of the abutting owners under Section 57 of the Surveys Act, R.S.O. 1980;

(c) That the Commissioner of Engineering be authorized to sign an affidavit setting out that no public funds have been expended on the alley to be closed;

(d) That documentation regarding the application to the County Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor and that the applicant be responsible for all fees payable in County Court;

(e) That the applicant register a reference plan under the Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed portion is to be distributed among the abutting owners, and that the applicant deposit a reproducible copy of said plan, with the Regional Surveyor.

(f) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing, pursuant to Section 48, of the Regional Municipality of Hamilton-Wentworth Act.

16. (a) That the City Solicitor be authorized to make an application to a County Court Judge under Section 82 of the Registry Act. R.S.O. 1980 for an order to stop-up and close the "North-South" Alley between James Street and MacNab Street, from Vine Street to 37.49m southerly.

(b) That the City Solicitor be authorized to prepare and register the necessary deeds in favour of the abutting owners under Section 57 of the Surveys Act, R.S.O. 1980;

(c) That the Commissioner of Engineering be authorized to sign an affidavit setting out that no public funds have been expended on the alley to be closed;

(d) That documentation regarding the application to the County Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor and that the applicant be responsible for all fees payable in County Court;

(e) That the applicant register a reference plan under the Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed portion is to be distributed among the abutting owners, and that the applicant deposit a reproducible copy of said plan, with the Regional Surveyor.

(f) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing, pursuant to Section 48, of the Regional Municipality of Hamilton-Wentworth Act.

(g) That the applicant pay all costs associated with the abandonment of the existing 6" water service, servicing the applicant's lands.

17. That reference to charitable, community or philanthropic undertakings or events be deleted from the conditions and requirements for banner installations across Main Street as originally approved by City Council on October 29, 1985 in adopting as Section 27 of the Eighteenth Report of the Transport and Environment Committee for 1985.

18. (a) That a "School Bus Loading Zone" regulation be implemented on the south side of Laurier Avenue, commencing 315 feet east of Columbia Drive and extending to a point 120 feet easterly therefrom; and

(b) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of Tenth Avenue, be extended, such that the regulation commences at a point 60 feet east of East 45th Street and extends to a point 200 feet easterly therefrom; and

(c) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of Acadia Drive, be extended, such that the regulation commences at a point 24 feet south of Butler Drive and extends to a point 400 feet southerly therefrom; and

(d) That City Traffic By-law 66-100 be amended accordingly.

19. (a) That the application by the Sunlight Food Store Limited to lease a portion of the boulevard of Earl Street adjacent to 647 Barton Street East be approved, provided that:

i. That the applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is $125 per year), plus taxes, if any, in addition to the $10 annual encroachment insurance charge approved by City Council on 1984 February 14.

ii. That the owner pays a one time $25 registration fee, as approved by the City Council on 1986 January 14.

iii. That the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.

iv. That the parking area and other structures, approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.

v. That the owner executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

(b) That the application by the Louis J. Agro Mushroom Company to lease a portion of the boulevard of Madison Avenue adjacent to 523-525 Wilson Street be approved, provided that:

i. That the applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is $100 per year), plus taxes, if any, in addition to the $10 annual encroachment insurance charge approved by City Council on 1984 February 14.

ii. That the owner pays a one time $25 registration fee, as approved by the City Council on 1986 January 14.

iii. That the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.

iv. That the parking area and other structures, approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.

v. That the owner executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

20. (a) That a "No Parking 8:00 a.m. to 6:00 p.m. Monday to Friday" regulation be implemented in front of the residential property at No. 212 East Avenue North, and

(b) That an "Alternate Side Parking" regulation be implemented on West 1st Street between Fennell Avenue West and Monarch Road such that parking will be prohibited;

- on the west side of the street during the months of December, January, February and March and from the 1st to 15th day of April, May, June, July, August, September, October, and November and

- on the east side of the street from the 16th to the last day of April, May, June, July, August, September, October and November.

(c) That the existing permit parking regulation on the south side of Napier Street between Hess Street North and a point 195 feet easterly therefrom be lengthened, such that the regulation extends to Caroline Street North; and

(d) That the Director of Traffic Services be authorized to issue one parking permit, upon request, to one resident of each of the ten residential properties abutting the block, and any additional permits (to a maximum of 14) on a first come first served basis; and

(e) That three one hour parking meters be installed on the north side of Augusta Street between John Street South and a point 121 feet easterly therefrom; and

(f) That five parking meters be removed and unrestricted free parking be permitted on the south side of Augusta Street from a point 97 feet east of John Street South to a point 120 feet easterly therefrom; and

* (g) That parking be prohibited in front of No. 30 Bond Street South, commencing at a point 312 feet south of King Street West to a point 29 feet southerly therefrom; and

(h) That a thirty minute parking time limit regulation be implemented on the south side of Crockett Street between East 35th Street and a point 118 feet westerly therefrom; and

(i) That City Traffic By-law 66-100 be amended accordingly.

21. (a) That a "Commercial Vehicle Loading Zone" regulation be installed on the west side of MacNab Street North, commencing at a point 110 feet north of Vine Street and extending to a point 20 feet northerly therefrom; and

(b) That a "Commercial Vehicle Loading Zone" regulation be implemented on the west side of MacNab Street North, commencing at a point 150 feet north of Vine Street and extending to a point 30 feet northerly therefrom; and

(c) That City Traffic By-law 66-100 be amended accordingly.

22. That the Director of Traffic Services be authorized to issue, upon request, one time limit exemption permit to each of the first eleven (11) applicants residing in the apartment building at No. 972 King Street West.

** 23. (a) That eight additional Traffic By-law Enforcement Officers be hired at the earliest opportunity in 1987 and

(b) That the additional salary, benefits, operating supplies, clothing and cleaning for clothing, new vehicle, mobile radio and car pool rental charges be authorized as part of the 1987 Traffic Department Budget allocation.

NOTE: The appropriations are based on the new officers being hired and on staff on or before March 1, 1987. The total costs associated with the hiring of eight additional traffic by-law enforcement officers is approximately $277 000 which includes: salaries and wages, expansion benefits, operating supplies, uniforms, clothing and accessories, uniform cleaning, new vehicles, car pool rental, mobile radios.

The revenues which will accrue to the city general revenue fund from tags issued by the additional officers will exceed the cost of providing the officers and supplying them with clothing, tags and transportation.

*** Section 20(g) tabled**
**** Proposed Amendment to Section 23 lost,**
Recorded Votes see page 4

24. (a) That a purchase order be issued to Paling Incorporated, Hamilton in the amount of $11,650.14 for major repairs to Fire Fighting Vehicle #1635, Central Garage.

NOTE: Only acceptable repair shop large enough to handle Fire Fighting equipment for quality work and turn around time. Funds provided in Repair and Maintenance, Auto Equipment #0341-0237.

(b) That purchase orders be issued in accordance with specifications issued by the Director of Purchasing and Vendor's tender as follows:

i. DEMIK CONSTRUCTION, HAMILTON
In the amount of $27,000 for the supply and installation of 150mm Waterline, including hydrant and meter arrangements at the Mohawk Sports Park building.

ii. DEMIK CONSTRUCTION, HAMILTON
In the amount of $14,900 for the supply and installation of One (1) KVA Transformer at the Mohawk Sports Park building.

NOTE: Funds provided in Special Repair Project, Contractual Services Account #0364-8619. The above items are being recommended as Phase II of the development of Mohawk Sports Park. Phase I, the actual building, was awarded by Council on September 30, 1986 and Demik Construction was the lowest bidder of three tenders received. These two projects were priced in the tenders received as separate items as shown on the analysis.

(c) That a purchase order be issued to Johnston Motor Sales Co. Limited, Hamilton, in the amount of $46,555.28 for the supply and delivery of Four (4) 1987 Compact Four Door Sedans for City Garage in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Lowest of fourteen (14) tenders received. Funds provided in By-Law Enforcement, New Vehicles Account #0345-0372.

(d) That a purchase order be issued to Motorola Limited, Hamilton in the amount of $19 195 including all applicable taxes, for the supply and delivery of Four (4) Mobile Radios for the Traffic Department in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: The only tender received. Funds provided in By-law Enforcement, New Radios and Installation Account #0345-0388.

25. That the following bill be introduced:

(a) B-1 Proposed expropriation of approximately 200 m^2 (2 150 sq.ft. more or less) for the extension of Trenholme Crescent in Trenholme Neighbourhood

(b) B-2 By-law to amend By-law 66-100 to Regulate Traffic

(c) B-3 By-law to amend By-law 66-100 to Regulate Traffic.

* 26. WHEREAS Council on April 29, 1986 approved the construction of service for Gurnett Estates - Phase 3;

WHEREAS the City's subdivision agreement does not provide for the construction of preliminary roads;

WHEREAS the City's policies provide for the construction of preliminary roads at the option of the developer; and

WHEREAS the subdivider is forced into a preliminary road by the winter weather in order to maintain through traffic movement.

It is now resolved

That the subdivision agreement for Gurnett Estates - Phase III, be amended to provide for the construction of a preliminary road on

Guildwood Drive from Trevi Road to Golfwood Drive, and

Golfwood Drive from Guildwood Drive to west limit of subdivision subject to standard City payments and terms.

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

R. C. Prowse
Secretary

1987 January 06

*** Section 26 added during Council**

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its FIRST Report for 1987 and respectfully recommends:

1. That the Chairman or his designate be authorized to attend at the International Symposium on "Greening the City" to be held in Toronto, Ontario 1987 February 18 - 20.

* 2. That Item 6 of the Sixteenth Report of the Parks and Recreation Committee adopted by City Council at its meeting of 1986 June 24 respecting entering into an agreement with the Hamilton Entertainment and Convention Facilities Inc., Convention Centre, to operate the dining facilities at Dundurn Castle be reconsidered and referred back to the Parks and Recreation Committee for further review.

3. (a) That the lease between the City of Hamilton and the executives of the Hamilton-Burlington "Y" Sailing Club, namely, Lizard Aldrey, Douglas Collins, Judy Lindsay and Peter Williams, dated 1983 JUNE 8 with respect to a portion of the Pier 4 Park area, be renewed with the new term to commence 1986 December 1 and expire on 1987 November 30 for an annual rental of $200.

(b) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement.

4. (a) That the lease between the City of Hamilton and the Provincial Council for Ontario, The Boy Scouts of Canada dated 1983 May 27 be renewed with the new term to commence on 1986 December 1 and expire on 1987 November 30 for an annual rental of $100.

(b) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement.

5. (a) That the lease between the City of Hamilton and the Macassa Bay Yacht Club, which expired 1986 November 30, be renewed with the new term to commence on 1986 December 1 and expire on 1987 November 30 for an annual rental of $4,500 plus taxes.

(b) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement.

*** Section 2 amended to read:**
That Item 6 of the Sixteenth Report of the Parks and Recreation Committee adopted by City Council at its meeting of 1986 June 24 respecting entering into an agreement with the Hamilton Entertainment and Convention Facilities, Inc., Convention Centre, to operate the dining facilities at Dundurn Castle be reconsidered and other options be referred to the Parks and Recreation Committee for further review.

6. That approval be given to demolish and store on site all materials from the small barn behind 53 Lake Avenue (Beatrice and Henry Warden Park).

NOTE: The cost of demolition estimated to be $1 000 to be charged to Account Number 0364-0501 (General Maintenance).

* 7. That approval be given to demolish the City owned parkhouse located within Sackville Hill Park at 770 Upper Wentworth Street.

NOTE: The cost of demolition estimated to be $3 000 to be charged to Account Number 0364-9819 (Work Done for Others).

8. (a) That the Tariff of Charges for City-owned cemeteries as set out in Schedule "A" attached, be approved and implemented upon receipt of approval from the Ministry of Consumer and Commercial Affairs, Cemeteries Branch, with an effective date of 1987 January 2.

(b) That the City Solicitor be authorized and directed to prepare a by-law to amend Cemetery By-law 8861, to provide for the increase in the Tariff of Charges.

(c) That the Director of Cemeteries be authorized and directed to make application to the Ministry of Consumer and Commercial Affairs, Cemeteries Branch, for approval of these rates.

Respectfully submitted,

L. Peddle
Acting Secretary
1987 January 6

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

* Section 7 referred back

Schedule "A"

Referred to in Item 8 of the First Report of the Parks and Recreation Cttee

HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGES

JANUARY 2, 1987

(Cemeteries By-Law No. 8861)

	Resident and Non-Resident Realty Taxpayers	Non-Residents
OPENING AND CLOSING		
Dressing - $30.00 Device - $24.00		
6 ft. adult, includes dressing and device	293.00	341.00
8 ft. adult, includes dressing and device	398.00	443.00
6 ft. child, includes dressing and device; case up to 60"	200.00	285.00
includes dressing only	176.00	261.00
without dressing and device	146.00	231.00
6 ft. child, includes dressing and device; case 61" to 72"	222.00	322.00
includes dressing only	198.00	298.00
without dressing and device	168.00	268.00
8 ft. child, includes dressing and device; case up to 60"	222.00	322.00
includes dressing only	198.00	298.00
without dressing and device	168.00	268.00
8 ft. child, includes dressing and device; case 61" to 72"	247.00	359.00
includes dressing only	223.00	335.00
without dressing and device	193.00	305.00
Baby Special - up to one month old	34.00	54.00
Cremation	98.00	139.00
Mansion of Memories (Stoney Creek) (new crypts only)	241.00	284.00

Note: Lowering device is not used if case is 42" or less

LOWERING (opening charges not included)			
Adult	From 6 ft. to 8 ft. - shell	201.00	304.00
	From 6 ft. to 8 ft. - steel vault	390.00	586.00
	From 6 ft. to 8 ft. - concrete vault or crypt	467.00	701.00
Child	From 6 ft. to 8 ft. - 5 to 10 years	139.00	207.00
	From 6 ft. to 8 ft. - under 5 years	67.00	99.00
REMOVALS			
Adult	Shell	862.00	1,290.00
	Concrete vault or crypt	862.00	1,290.00
Child	Shell	251.00	390.00
	Concrete vault or crypt	269.00	398.00
Cremation		98.00	139.00

HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGES

	Resident and Non-Resident Realty Taxpayers	Non-Residents
SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE		
Adult Single Grave		
Graves cannot be selected or purchased in advance but are opened in sequence	282.00	348.00
Preferred Single Grave		
Where grave may be selected and purchased in advance of need	471.00	583.00
Child Single Grave		
Case up to 60"	68.00	87.00
Case 61" to 72"	100.00	131.00
Urn Garden	157.00	192.00
Veteran's Grave	268.00	
Welfare Grave	282.00	
Two-Grave Lot	1,081.00	1,347.00
Two-Grave Lot - Eastlawn Sections 15, 16 (6'burials only)	883.00	1,101.00
Three-Grave Lot - Woodland Section 17	1,614.00	2,020.00
Four-Grave Lot - Woodland Section 15	3,909.00	4,883.00
Four-Grave Lot - Woodland Sections 21, 22, 25 and - Eastlawn Section 19	2,116.00	2,690.00
Four-Grave Lot - Trinity	1,989.00	2,524.00
Mansion of Memories - Mausoleum Crypt	753.00	828.00
Baby Special	29.00	31.00
ADDITIONAL SERVICES		
CRYPTS Youth	180.00	
Standard	185.00	
Intermediate	190.00	
Oversize	200.00	
PLANTING Preparing ground and planting flowers per grave	29.00	
Preparing ground and planting one shrub	37.00	
Flowers and shrubs are to be provided by the family at their expense.		
MISC. Tent in Cemetery	90.00	151.00
Rental tent outside cemetery	131.00	192.00
Rental of dressing for use outside cemetery	104.00	162.00
Rental of lowering device outside cemetery	104.00	162.00
Transfer fee $2.00 + Research $18.00	20.00	

NOTE: 35% of all lot sales goes into Perpetual Care

HAMILTON MUNICIPAL CEMETERIES' TARIFF OF CHARGES

	Resident and Non-Resident Realty Taxpayers	Non-Residents
FOUNDATIONS AND MARKERS		
Foundation - pouring per square inch of surface area (to be poured 6 feet deep)	.67	1.00
Marker - setting fee (maximum size 24" long; 18" wide) (thickness 8" maximum - 4" minimum)	82.00	125.00
Welfare Marker.....	82.00	110.00
Bronze Vase.....	82.00	125.00
D.V.A. Upright.....	69.00	
D.V.A. Flat.....	69.00	

Preferred Singles
Only a flat marker 24" in length, 18" in width and 4" in thickness is permitted.

Single Graves in a Row
A flat granite marker 24" in length, 18" in width and 4" in thickness is permitted, or smaller.

Urn Garden Section
Only a flat marker 12" in length, and 10" in width is permitted.

Children's Section
Only a flat marker 18" in length, and 14" in width is permitted.

Two-Grave Lot Section
Upright monument is allowed, maximum length of base must not exceed 3'2". Maximum width must not exceed 1'2". All bases must be at least 6" in height. The total over-all height of any memorial must not exceed 4'. All memorial bases must have a projection of at least 3" from the edge of the die or cross on all sides.

Three and Four-Grave Lot Section
Maximum base area not to exceed 10% of lot area. Total over-all height to be governed by base size for appearance and balance. All memorial bases must have a projection of at least 3" from the edge of the die or cross on all sides.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **FIRST** Report for 1987 and respectfully recommends:

1. That approval be given to City Initiative 86-R requesting a change in zoning from "L-mr-1" (Planned Development - Multiple Residential) District to "C" (Urban Protected Residential) District and "R-4" (Small Lot Single-Family Detached) District for the lands located in the area south of Stone Church Road East between Upper Gage Avenue and Elmore Drive, to permit the development of the subject lands for single-family dwellings, shown as Blocks "1" and "2" on the attached map marked as **APPENDIX "A"**, on the following basis:

   i) That Block "1" be rezoned from "L-mr-1" (Planned Development - Multiple Residential) District to "C" (Urban Protected Residential, etc) District;

   ii) That Block "2" be rezoned from "L-mr-1" (Planned Development - Multiple Residential) District to "R-4" (Small Lot Single - Family Detached) District;

   iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law 6593 and Zoning District Map E-38C;

   iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

   EXPLANATORY NOTE

   The purpose of this By-law is to provide for a change in zoning for the lands located in the area south of Stone Church Road East between Upper Gage Avenue and Elmore Drive, on the following basis:

   Block "1" Change from "L-mr-1" (Planned Development - Multiple Residential) District to "C" (Urban Protected Residential, etc.) District;

   Block "2" Change from "L-mr-1" (Planned Development - Multiple Residential) District to "R-4" (Small Lot Single-Family Detached) District.

   The effect of the rezoning is to permit the development of the subject lands for single-family detached dwellings.

2. That approval be given to Zoning Application 86-90, Miroslav Jovanovic and Erna Jovanovic, owners, for a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial, etc.) District to permit a restaurant having a seating capacity of 144 persons, for property located at No. 2826 King Street East as shown on the attached map marked as **APPENDIX "B"**, on the following basis:

   i) That the subject lands be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial, etc.) District;

   ii) That the "HH" (Restricted Community Shopping and Commercial, etc.) District regulations as contained in Section 14A of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variance as a special requirement.

      a) That a restaurant shall be permitted within the existing building and any expansion thereto.

   iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1002 and that the subject lands on Zoning District Map E-106 be notated S-1002;

   iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-106;

   v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

   vi) That the Gershome Neighbourhood Plan be amended by redesignating the subject lands from "Low Density Apartments" to a "Commercial" land use designation.

EXPLANATORY NOTE

The purpose of this By-law is to provide for a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial, etc.) District for property located at No. 2826 King Street East, as shown on the attached map marked as **APPENDIX "B"**.

The effect of this By-law is to permit a restaurant within the existing building and any expansion thereto.

3. That approval be given to Zoning Application 86-92, P-Wee's Pizza Pasta and More Restaurant, Lessee, for a further modification to the "H" (Community Shopping and Commercial, etc.) District regulations for property municipally known as 1119 Fennell Avenue East, as shown on the attached map marked as **APPENDIX "C"**, on the following basis:

   i) That the "H" Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593 as amended by By-laws 78-271, 79-263 and 82-97, be further amended to include the following modification as a special requirement:

      a) That notwithstanding Section 18(11)(b) 1. of By-law No. 6593 an outdoor patio shall be permitted, and that the Site Plan By-law H/S-606a be amended to include a new schedule showing the location of the proposed patio.

   ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-606B, and that the subject land on Zoning District Map E-57 be notated S-606B;

   iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-57.

   iv) That the proposed change in zoning is in conformity with the Hamilton Official Plan.

EXPLANATORY NOTE

The purpose of the By-law is to provide for a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations for property located at No. 1119 Fennell Avenue East, as shown on the attached map marked as **APPENDIX "C"**.

The effect of the By-law is to permit an outdoor patio having 32 seats in conjunction with the P-Wee's Restaurant situated within the shopping plaza notwithstanding that it is situated on a lot which adjoins a residential district on the easterly side and rear property line.

4. 1. Subdivision Application

   a) That approval be given for application SA-86-22, Michael Pupko and the Estate of Mark Pupko, owners, to establish a draft plan of subdivision on the south side of Stone Church Road East and on the west side of Upper Wentworth Street, subject to the following conditions:

      1. That the approval apply to the plan prepared by Ashenhurst Nouwens Limited, dated 1986 October 6, revised to establish a 12.19 m X 12.19 m daylight triangle at the north-west corner of Lot 242, to provide corner roundings at certain locations and

to assign block numbers to the proposed street widenings and to establish reduced road allowances of 18.Ø m for streets adjacent to Lots 39 to 59 and 154 to 182.

2. That the owner acquire sufficient land to establish the street abutting Block 277 and Lots 1 to 14 inclusive to its required width.

3. That the road allowances and widenings for Stone Church Road East (Block 279) and Upper Wentworth Street (Block 278) be dedicated as public highway on the final plan.

4. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

5. That the proposed subdivision conform with the zoning by-law approved under the Planning Act.

6. That the owner convey Block "276" to the City of Hamilton for park purposes pursuant to the provisions of The Planning Act.

7. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.

8. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.

9. That the open sides of the road allowances created by the plan be terminated in Ø.3m reserves to be conveyed to the City of Hamilton and be held by the City until required for the development of abutting lands.

1Ø. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-86-22), Wellington Chase Inc., prospective owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services as been approved by City Council.

c) That the Barnstown Neighbourhood Plan road pattern be amended accordingly.

4. 2. Zoning Application

That approval be given to Zoning Application 86-91, Wellington Chase Inc., prospective owner, for a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District, for property located on the south side of Stone Church Road East and west of Upper Wentworth Street, as shown on the attached plan marked as **APPENDIX "D"**, on the following basis:

i) That the subject lands be rezoned from "D" (Urban Protected Residential, One and Two-Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District;

ii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-18C and E-18D;

iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE

The purpose of the By-law is to provide for a change in zoning from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District, for property located in the area on the south side of Stone Church Road East and west of Upper Wentworth Street, as shown on the attached plan marked as **APPENDIX "D"**.

The effect of the By-law is to permit development of the subject lands through a draft plan of subdivision for single-family dwellings as opposed to the previous zoning which was permitted in addition to single-family dwellings, semi-detached dwellings or "small lot" single-family dwellings.

5. 1. That approval be given to Official Plan Amendment No. 44 to:

a) repeal By-law 84-239 adopting Official Plan Amendment No. 25; and

b) delete 638 and 640 Upper James Street from Special Policy Area No. 19;

and the City Solicitor be directed to prepare a By-law to adopt this Official Plan Amendment for submission to the Regional Municipality of Hamilton-Wentworth.

EXPLANATORY NOTE:

The purpose of Official Plan Amendment No. 44 is to permit commercial development on the subject lands.

5. 2. That approval be given to Zoning Application ZA-86-57, Mr. Seid Hashemi, owner, requesting a further modification to the "H" (Community Shopping and Commercial) District regulations to permit the construction of a 7,500 square foot, 2 1/2 storey office complex for the properties located at Nos. 638 and 640 Upper James Street, as shown on the attached map marked as **APPENDIX "E"**, on the following basis:

i) That By-law 84-240 be repealed in its entirety.

ii) That the property located at Nos. 638 and 640 Upper James Street be deleted from By-law 83-271.

iii) That the "H" (Community Shopping and Commercial) District regulations as contained in Section 14 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as a special requirement:

a) That notwithstanding Section 14.(2)(i), no building shall exceed three storeys in height;

b) That notwithstanding Section 14.(5), no building shall exceed 696.75 m^2 (7,500 sq. ft.) in gross floor area.

c) That a planting strip of not less than 1.5 m in width and a visual barrier of not less than 1.2 m and not more than 2.0 m in height shall be provided along the southerly lot lines;

d) That a 3.0 m by 3.0 m landscaped area shall be provided along the front lot line adjacent to the southerly lot line;

iv) That notwithstanding Section 18A, Table 1, Subsection 4 (Commercial Uses), a minimum of 10 parking spaces shall be provided.

v) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-830C, and that the subject land on Zoning District Map W-8 be notated S-830C;

vi) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-8.

3. That By-law No. 79-275 establishing Site Plan Control be amended by adding the subject lands to Schedule "A".

EXPLANATORY NOTE

The purpose of the By-law is to provide for a further modification to the "H" (Community Shopping and Commercial) District regulations for the properties located at Nos. 638 and 640 Upper James Street, as shown on the attached map marked as **APPENDIX "E"**.

The effect of the by-law is to permit the construction of a 696.75 m^2 (7,500 sq. ft.) building straddling the two lots.

In addition, the By-law provides for the following variances and special requirements:

a) to permit the construction of a building with a maximum gross floor area of 696.75 m^2 (7,500 sq. ft.) (Section 14.(5);

b) to limit the building height to a maximum of three storeys (Section 14.(2)(i);

c) to require a planting strip of not less than 1.5 m in width and a visual barrier of not less than 1.2 m and not more than 2.0 m in height along the southerly lot line (Section 14);

d) to require a 3.0 m by 3.0 m landscaped area along the front lot line adjacent to the southerly lot line (Section 14);

e) a minimum of 10 parking spaces shall be provided (Section 18A, Table 1, Subsection 4).

6. 1) That approval be given to Official Plan Amendment 46, which would incorporate minor changes in the Hamilton Official Plan, as identified in **APPENDIX "F"**; and,

2) That the City Solicitor be directed to prepare a by-law to adopt Official Plan Amendment 46 for submission to the Regional Municipality of Hamilton Wentworth and Housing for final approval.

EXPLANATORY NOTE

The Hamilton Official Plan requires that an annual review be carried out to incorporate minor changes in the plan. Since the completion of the second annual review, a number of areas have been identified where minor revisions should be made.

7. a) That approval be given to Application SA-86-21, Pilgrim Evangelical Lutheran Church, owner, to establish a draft plan of subdivision in the area west of Upper Sherman avenue and north of Limeridge Road East, subject to the following conditions:

1. That this approval apply to the plan prepared by A.J. Clark and Associates, dated July 7, 1986 showing 8 lots and a road allowance.

2. That the road allowance be dedicated as public highway on the final plan.

3. That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

4. That the final plan conform with the zoning by-law approved under The Planning Act.

5. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.

6. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.

7. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.

8. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-86-21), Pilgrim Evangelical Lutheran Church, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

8. 1. That Ontario Hydro be notified that the Planning and Development Department will be unable to prepare the land use study required for Hydro lands in the Ainslie Wood area due to the commitments to other projects in the 1987 work program.

2. That the request of Ontario Hydro to prepare a land use study in the Ainslie Wood area **be denied.**

EXPLANATORY NOTE

Additional land uses are being considered for the Ontario Hydro lands on the north and south sides of Main Street West, within the hydro transmission corridor. These may include retail commercial uses, such as automotive parts outlets. Ontario Hydro is proposing additional uses to help ensure optimal use of their lands. The Planning Department has requested that a corridor land use study be prepared to identify appropriate types of uses and to specify measures to ensure compatibility of land uses with surrounding development. This is a requirement of the Official Plan, for major changes in land use. It was proposed that the study be undertaken by Ontario Hydro staff, with Planning Department staff available as resource persons.

* 9. That approval **not** be given to Zoning Application 86-94, Municipal Non-Profit (Hamilton) Housing Corp., prospective owner, for a change in zoning from "L-mr-1" (Planned Development - Multiple Residential) District to "RT-20" (Townhouse - Maisonette) District to permit the development of 32 townhouse units at 1556 Upper Gage Avenue as shown on the attached map marked as **APPENDIX "G".**

EXPLANATORY NOTE

For the information of the Members of City Council, approval of Zoning Application 86-94, Municipal Non-Profit (Hamilton) Housing Corp., was lost lost on a tie vote and in accordance with Council's policy, is being forwarded at this time for Council's consideration.

10. That the Building Commissioner be authorized to issue demolition permits for the demolition permit for the demolition of residential buildings as outlined below:

1. 299 John Street South

2. 19 Depew Street

11. That a rehabilitation loan in the amount of $22,713., be approved for John and Michael Job, owners of a Second Level Lodging Home at 849 Main Street East. The loan is amortized over a ten-year period at three (3) per cent interest and secured by a Lien on Title.

12. That a rehabilitation loan in the amount of $13,056., be approved for Mr. John Job, owner of a Second Level Lodging Home at 169 Delaware Avenue. The loan is amortized over a ten-year period at three (3) per cent interest and secured by a Lien on Title.

*** Section 9 tabled**
Recorded Votes see page 5

13. That the Department of Community Development be authorized to process grants and/or loans in an amount not to exceed $7 500. the actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under the Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P) and pursuant to By-law No. 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.)

That the Officials of the Corporation involved in these Programmes be authorized to take all action that is necessary to process the following loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and Hamilton Rehabilitation Programme.

Ontario Home Renewal Programme

1. L. Terryberry
169 London Street North

2. L. Logan
8 Frederick Avenue

3. A. Coffey
137 Rosslyn Avenue North

4. C. Veevers
113 Grosvenor North

5. J. Fatalin
66 Argyle Avenue

6. A. Blaber
137 Maplewood Avenue

7. R. Anthony
651 Queensdale East

8. S. Berardo
16 Belmont Avenue

9. D. Smith
27 Wexford North

10. G. Hildebrandt
685 Nash Road North

11. M. Gooch
224 Kensington South

12. B. Grant
149 Province Street South

13. N. Smith
98 Park Row North

14. E. LaForme
46 Rosemont Avenue

15. H. Simpson
35 East 21st Street

16. B. Bell
24 Carlisle Street

17. V. Dick
40 Park Row South

18. N. Zadvorny
284 Grosvenor North

19. J. Gregory
496 Upper Sherman

20. R. Leroux
95 Fonthill Road, Unit 9

21. O. Laaksonen
133 Cannon Street East

Hamilton Rehabilitation Assistance Programme

1. C. Piper
9 East 25th Street

14. That O'Sullivan Automotive Limited be granted an extension of the closing date for the purchase of Part 1, Plan 62R-7922 of land located on the south side of Burlington Street East to January 30, 1987, on the understanding, time is of essence and all the terms and conditions remain the same.

15. That an Offer to Purchase the lands of The Corporation of the City of Hamilton duly executed on November 28, 1986 by the Purchaser, Altofort Development Inc., (Fortino's) and scheduled for closing on April 23, 1987, be approved and completed.

EXPLANATORY NOTE

The property is composed of a parcel of vacant land located on the south side of Lancing Drive, having a frontage of 477.16 feet by a depth of 300 feet and containing an area of 3.28 acres. The subject site is more particularly described as Lot 7 and the North Half of Lot 6 on Plan M-227.

The purchase price is $57 400. A deposit cheque in the amount of $5 740., is being held by the City Treasurer pending Council approval.

It is understood and agreed that the Vendor does not warrant the suitability of the soil conditions of the subject lands to support the construction of the Purchaser's proposed building. The Purchaser does hereby acknowledge the fact that it has received a copy of the Geotechnical Investigation prepared by Peto MacCallum Ltd., dated 1986 June 3.

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached as **APPENDIX "H".**

16. That the Option to Purchase the lands of the Corporation of the City of Hamilton duly executed on November 28, 1986 by the Purchaser, Altofort Developments Inc., (Fortino's) and open for exercise by the Purchaser until September 30, 1987 be granted. If exercised, by Altofort Development Inc., the closing date will be December 19, 1987.

Note: The Option to Purchase is subject to the following conditions:

1. That subject land being zoned for the Purchaser's proposed use. If such zoning is not in place then the purchaser will forthwith undertake and diligently move to have the appropriate zoning by-law passed and all other required steps completed to rezone the M-12 zoning district to allow the Purchaser's proposed use.

In the event that the said zoning amendment cannot be obtained and the Purchaser is not prepared to waive said condition, then the contract of purchase and sale arising out of the acceptance of this Option to Purchase by the Purchaser shall become null and void and the deposit ($9,200.,) shall be returned without interest.

2. It is understood and agreed by the Purchaser and the City that the City does not warrant the suitability of the property for any development use or any proposed use. The Purchaser acknowledges that the subject site is lower than Highway 53 and will require substantial fill to make the site developable.

The purchase price is $92,000. A deposit in the amount of $9,200. shall be payable by Altofort Development Inc., on the exercise of the Option. The Option fee of $920., is not refundable if the Option is not exercised, however, if the Option is pursued with, the $920., shall be credited against the balance of the price payable by Altofort Developments Inc., on closing. The Option fee of $920., is being held by the City Treasurer pending Council approval.

The property is composed of a parcel of land located on the northern limit of Rymal Road East having a frontage of 308.15' by a depth of 300'/265.35' (more or less) and containing an area of 3.0163 acres and more particularly described as Lot 5 and the South half of Lot 6 Plan M-227.

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto as **APPENDIX "I"**.

17. That an Offer to purchase the lands of The Corporation of the City of Hamilton duly executed on December 3, 1986 by the Purchaser, Carlo and Anthony Delsordo and scheduled for closing on or before August 21, 1987.

Note: The property is composed of a parcel of vacant land located on the east side of Nebo Road, having a frontage of 150 feet (more or less) by a depth of 450' (more or less) and containing an area of 1.539 acres (more or less). The subject site is more particularly described as Part of Lot 36, Plan M-227.

The purchase price is $50,000. A deposit cheque in the amount of $2 500., is being held by the City Treasurer pending Council approval.

It is understood and agreed that the Vendor on completion of this transaction will pay a 5% Real Estate commission to Catania Real Estate, whose agent, Mr. Vern Catania acted in this matter.

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto as **APPENDIX "J".**

18. That permission be granted to the Regional Municipality of Hamilton Wentworth to access and use property sales lists stored by the Provincial Ministry of Revenue.

19. Approval of the payment of the interim account of Weir & Foulds, Barristers and Solicitors, dated August 28, 1986, in the amount of $13 500., for fees and $1 420.72 for disbursements for a total of $14 970.72. This account covers services from May 9, 1986 to July 14, 1986.

EXPLANATORY NOTE:

By adopting Section 20 of the Twenty-Fifth Report of the Planning and Development Committee at its meeting of September 24, 1985, City Council approved that the firm of Weir & Foulds, Barristers and Solicitors, be retained under the direction of the City Solicitor to act for the City in regard to the Supreme Court of Ontario action commenced against the City by Anthony Butler, Philip R. Brook, William E. Carruthers and John J. Shaw carrying on the practice of architecture under the name Anthony Butler/Brook Carruthers Shaw Association Architects for the Hamilton Central Library and Farmers' Market.

20. That leave be granted to introduce the following Bills:

D-157 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on the West Side of Upper Horning Road, in the Area South of Verne Court.

D-158 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 425 Melvin Avenue.

D-159 By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 425 Melvin Avenue

D-160 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 384 Limeridge Road East.

D-163 By-law to Amend Appointments By-law No. 83-73 Respecting The Committee of Adjustment.

D-164 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 638 and 640 Upper James Street.

D-165 By-law to Establish Site Plan Control Respecting Lands Located at Municipal Nos. 638 and 640 Upper James Street.

D-1 By-law to Adopt Official Plan Amendment No. 44 Respecting Lands Located on the West Side of Upper James Street, South of Fennell Avenue, Known Municipally as Nos. 638 and 640 Upper James Street.

D-2 By-law to Adopt Official Plan Amendment No. 46 Respecting Minor Changes to Official Plan Following Annual Review.

D-3 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at the South-West Corner of York Boulevard and James Street North.

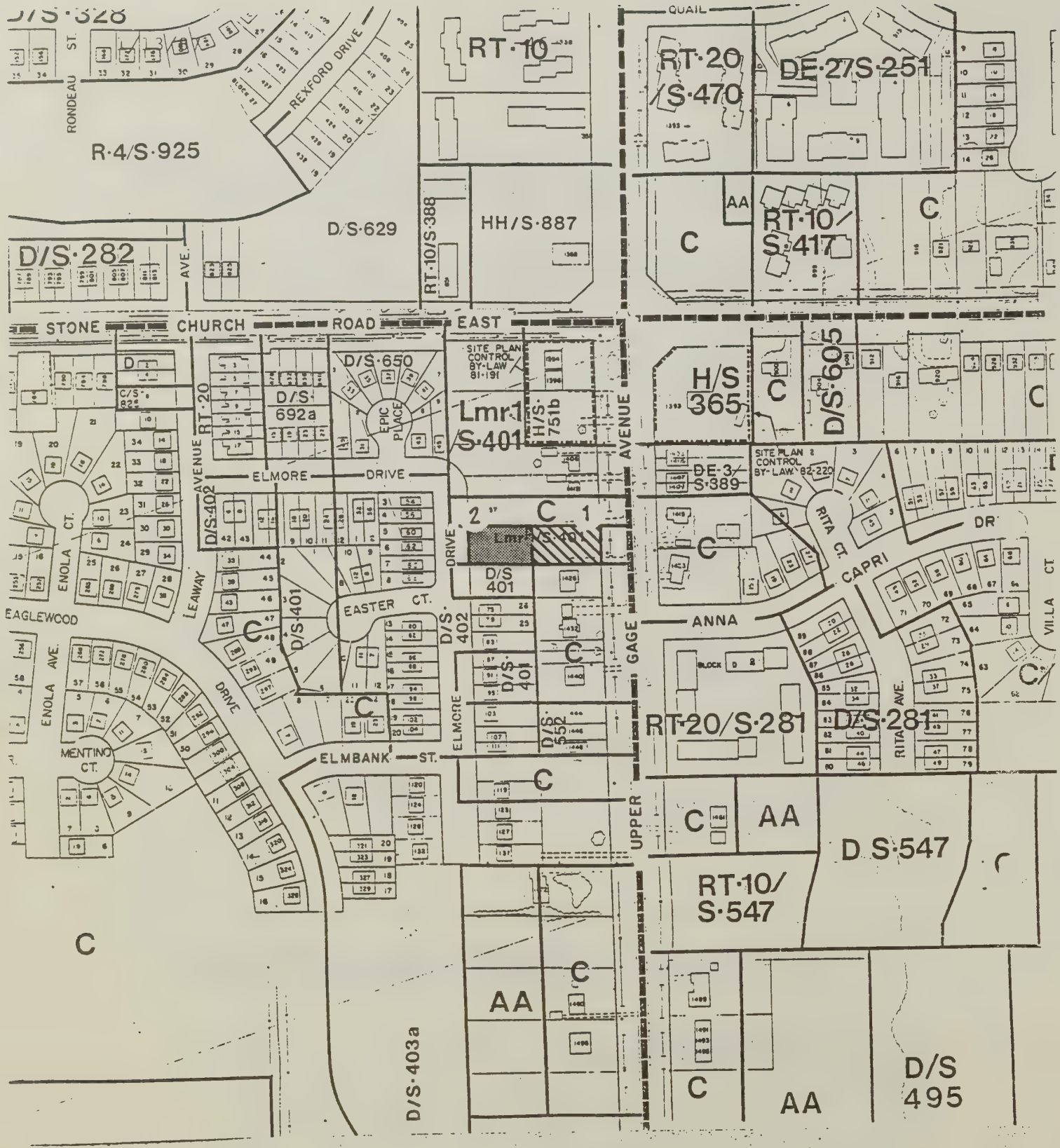
D-4 By-law to Establish Site Plan Control Respecting Land Located at the South-West corner of York Boulevard and James Street North.

Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN,
PLANNING AND DEVELOPMENT COMMITTEE

John Thompson, Secretary,
Planning and Development Committee
1986 December 10

JDT:tb



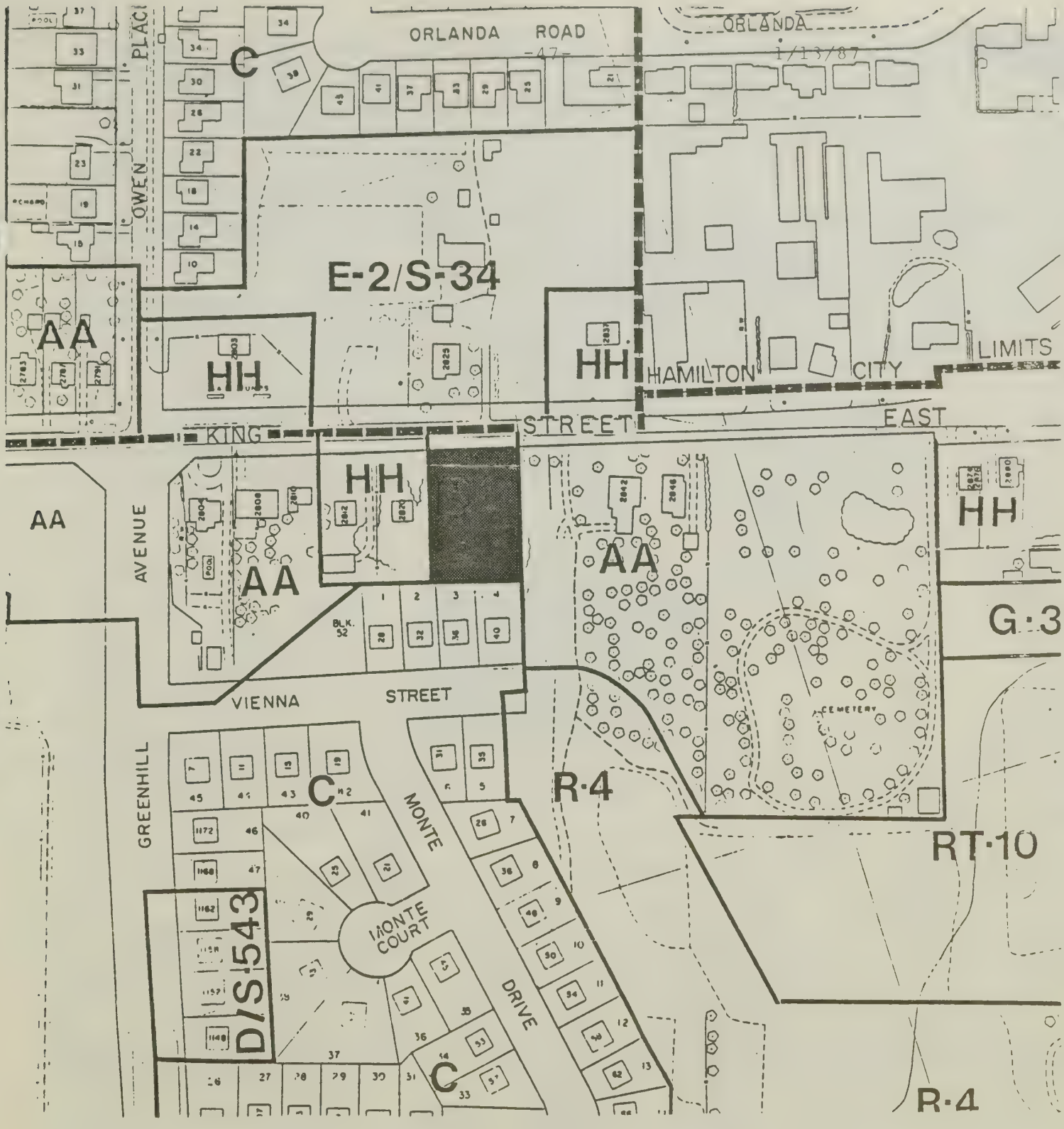
LEGEND

CHANGE IN ZONING FROM "L-mr-1" (PLANNED DEVELOPMENT - MULTIPLE RESIDENTIAL) DISTRICT, MOD. TO:

BLOCK 1 — "C" (URBAN PROTECTED RESIDENTIAL, ETC.) D

BLOCK 2 — "R-4" (SMALL LOT SINGLE-FAMILY DETACHED)

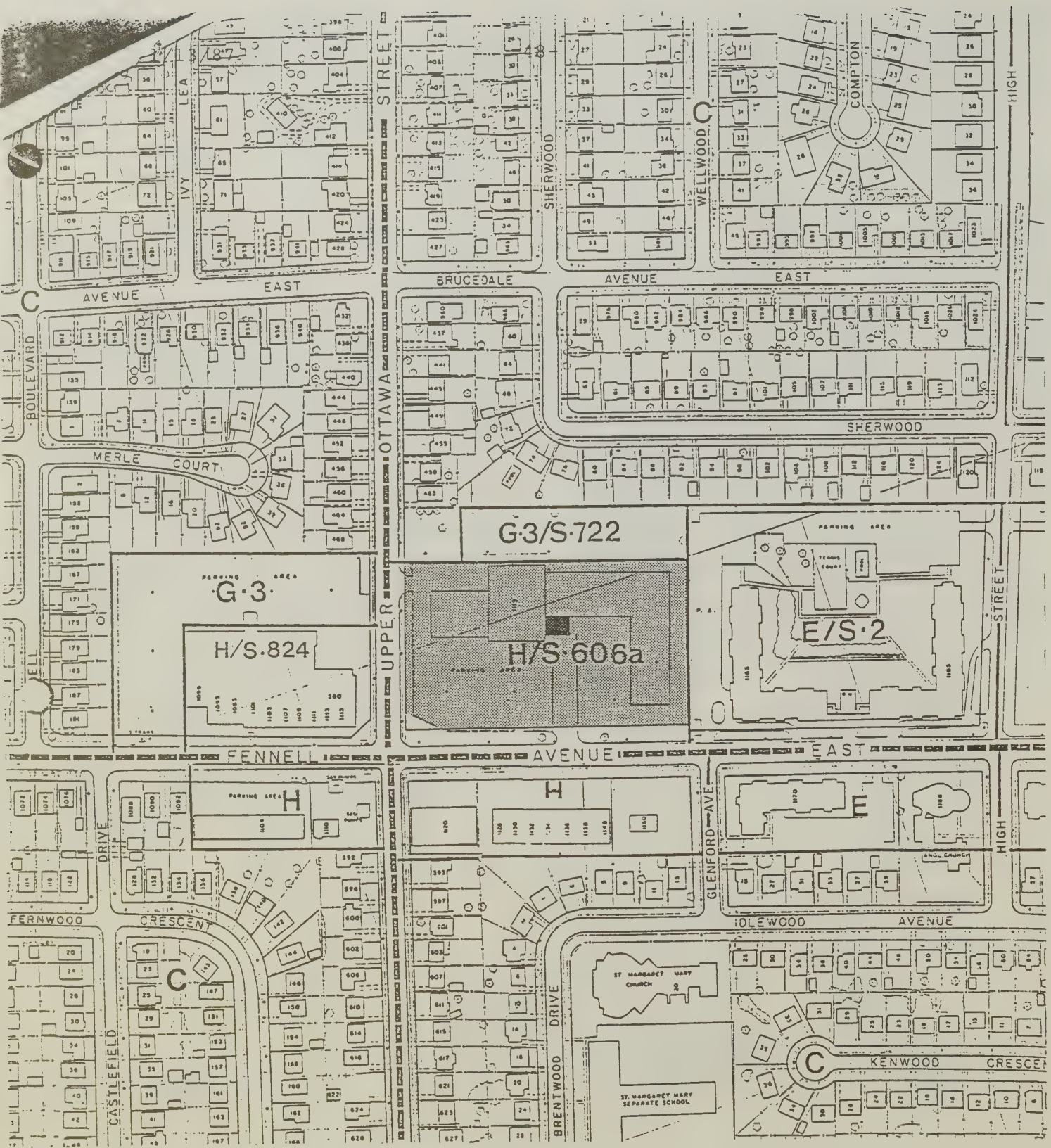
Appendix "A" as referred to in Item 1 of the FIRST Report for 1987 of the Planning and Development Committee



LEGEND

SITE OF THE APPLICATION

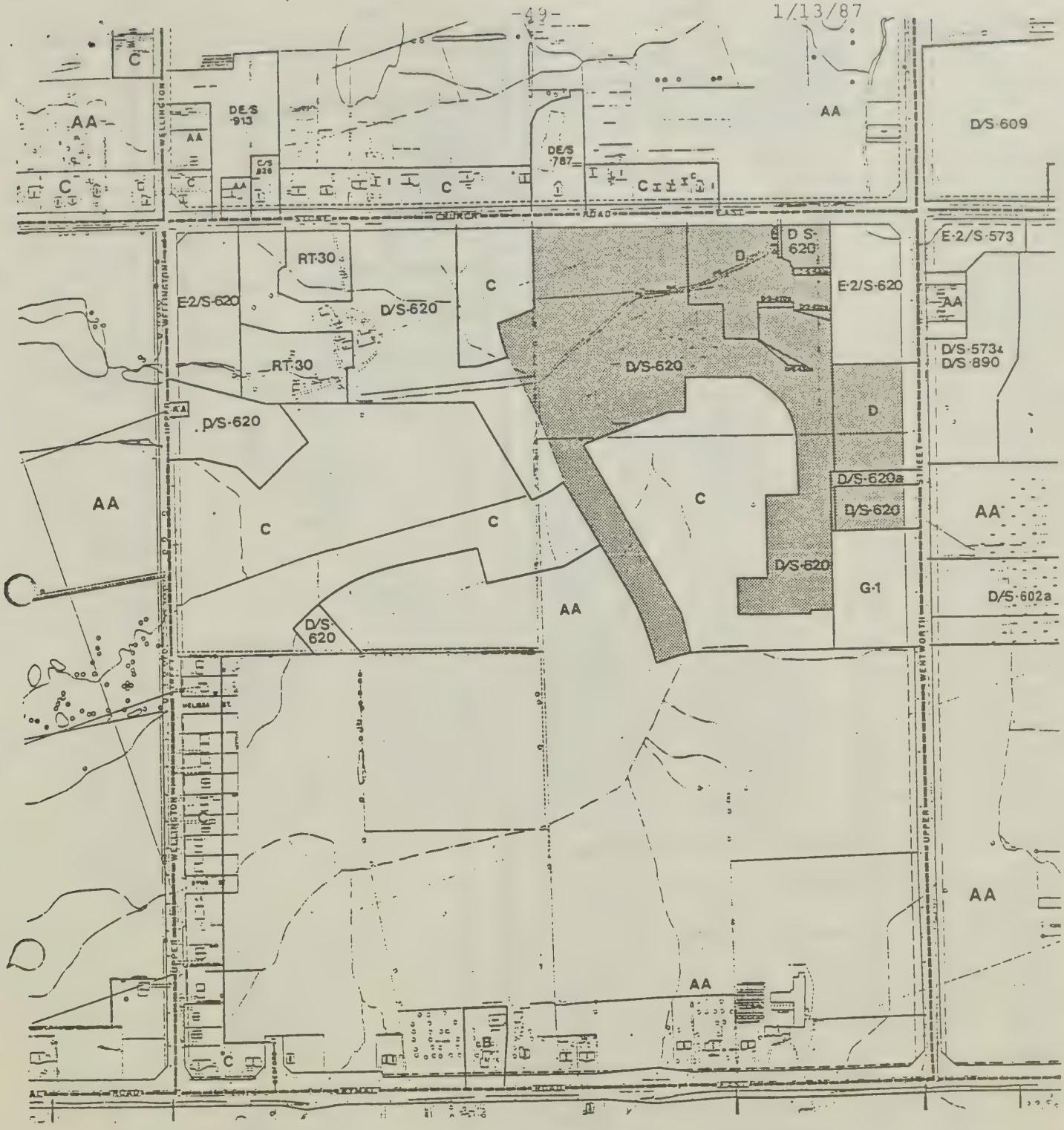
Appendix "B" as referred to in Item 2 of the FIRST Report for 1987 of the Planning and Development Committee



SITE OF THE APPLICATION

LOCATION OF PROPOSED OUTSIDE PATIO. (NOT TO

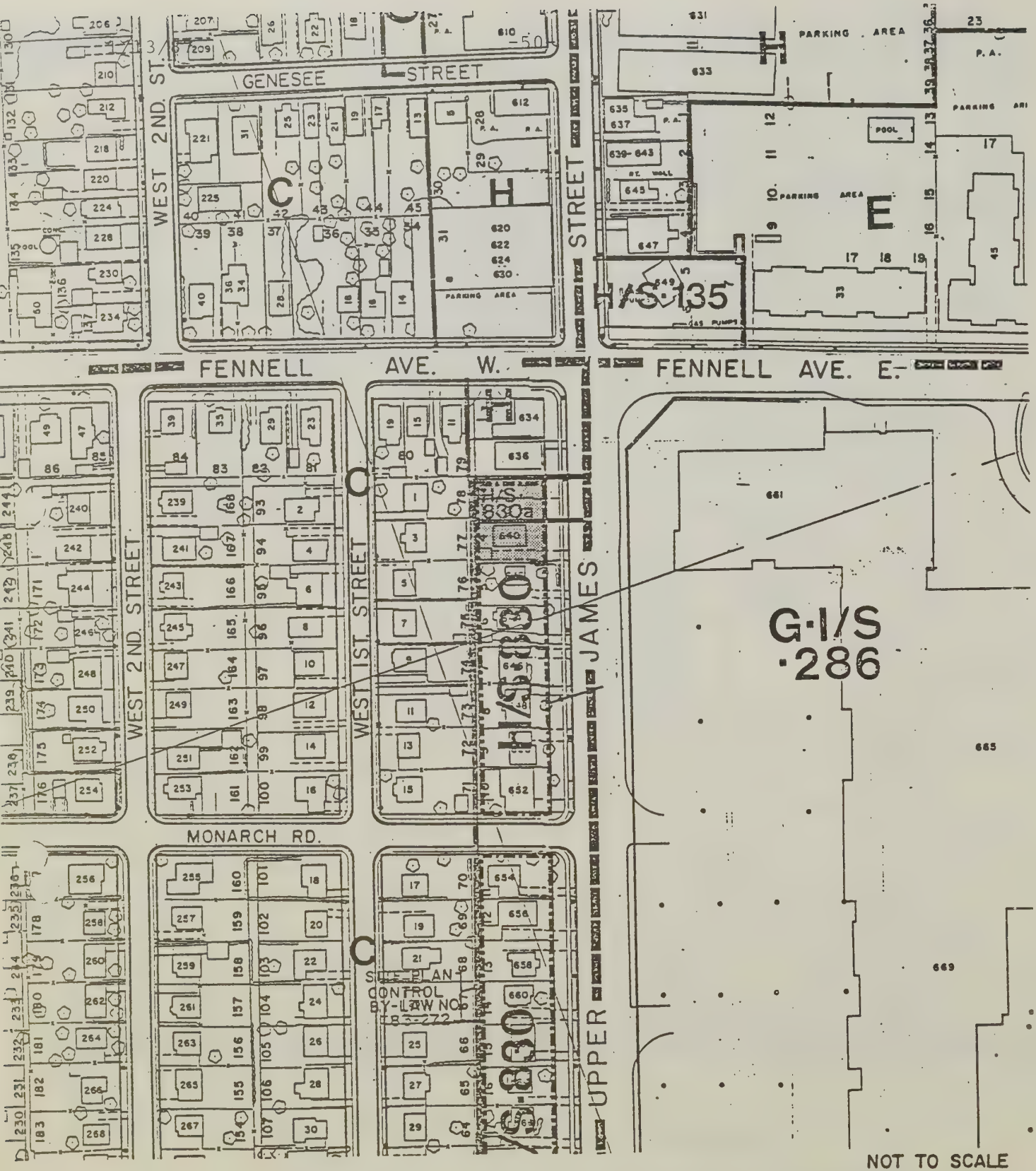
Appendix "C" as referred to in Item 3 of the FIRST Report for 1987 of the Planning and Development Committee



LEGEND

SITE OF THE APPLICATION

Appendix "D" as referred to in Item 4 (2) of the FIRST Report for 1987 of the Planning and Development Committee



LEGEND

SITE OF THE APPLICATION

Appendix "E" as referred to in Item 5 (2) of the FIRST Report for 1987 of the Planning and Development Committee

APPENDIX "A"

W.P. DOC. 2504P

HAMILTON OFFICIAL PLAN - THIRD ANNUAL UPDATE

(Only Those Items Prefaced With The Letter A Will Require
A Public Review and an Amendment to the Official Plan)

ITEM NUMBER	SUBSECTION OR SCHEDULE	POLICY AND/OR SCHEDULE REFERENCE	CHANGE REQUIRED	REASON	RECOMMENDATION
A.1	A.2.2	A.2.2.26	Replace the policy with the following: "The maximum site area of any local commercial development will not exceed .4 hectare in keeping with the intention that LOCAL COMMERCIAL facilities are to serve local residential areas only with convenience foods and personal services."	To remove the maximum "gross floor area" requirement of commercial establishments.	Revise Policy accordingly.
A.2	A.2.2	A.2.2.36 A.2.2.37 A.2.2.38 A.2.2.39	Consolidate these policies under a new heading "Other Commercial Uses" and transfer to follow Policy A.2.2.28. Renumber to A.2.2.29; A.2.2.30; A.2.2.31; and A.2.2.32. Renumber subsequent policies accordingly.	Improve structure.	Revised Policy accordingly.
A.3	A.2.7	A.2.7.1	Add the word "associated". as follows: "...warehousing and associated parking areas..."	Clarification	Revise Policy accordingly.

Appendix "F" as referred to in Item 6 i) of the First Report for 1987 of the Planning & Development Committee

HAMILTON OFFICIAL PLAN - THIRD ANNUAL UPDATE

(Only Those Items Prefaced With The Letter A Will Require
A Public Review and an Amendment to the Official Plan)

ITEM NUMBER	SUBSECTION OR SCHEDULE	POLICY AND/OR SCHEDULE REFERENCE	CHANGE REQUIRED	REASON	RECOMMENDATION
A.4	A.3.2	A.3.2.1	Add the following at the end of the first sentence: ",unless a study is carried out to determine the feasibility of development in these Areas, as required in Policy 3.2.3 below. Accordingly, if it is proven that these areas can be developed, then the appropriate land use designation and policies will apply. In the interim, the primary..."	To permit additional uses within Environmentally Sensitive Areas which do not negatively effect ESA lands.	Revise Policy accordingly.
A.5	B.3.3	B.3.3.8	Replace the words "City of Hamilton Act" with the "Planning Act".	The new Planning Act provides a broader basis for the Policy	Revise Policy accordingly.
A.6	Schedule "A" - Land Use Concept		Redesignate lands occupied by Ivor Wynn Stadium from "Major Institutional" to "Open Space".	Redesignation is necessary to better reflect the recreational and open space nature of the existing use.	Revise Schedule "A" accordingly.

HAMILTON OFFICIAL PLAN - THIRD ANNUAL UPDATE

(Only Those Items Prefaced With The Letter A Will Require
A Public Review and an Amendment to the Official Plan)

ITEM NUMBER	SUBSECTION OR SCHEDULE	POLICY AND/OR SCHEDULE REFERENCE	CHANGE REQUIRED	REASON	RECOMMENDATION
A.7	Schedule "A" - Land Use Concept		Redesignate lands west of Upper Sherman Avenue, south of Limeridge Road East, adjacent to the Hydro corridor from "Major Institutional" to "Residential".	Redesignation is necessary to more closely reflect the residential use and the approved Rushdale Neighbourhood Plan.	Revise Schedule "A" accordingly.
A.8	Schedule "A" - Land Use Concept		Redesignate lands on the east side of Nash Road South from "Residential" to "Major Institutional".	Redesignation is necessary to recognize the long term use of the lands.	Revise Schedule "A" accordingly.
A.9	Schedule "A" - Land Use Concept		Revise the boundaries of the "Commercial" designation on Crockett Street on the east and west sides of Upper Sherman Avenue.	Revisions are necessary to ensure consistency with the existing zoning on these lands.	Revise Schedule "A" accordingly.
A.10	Schedule "A" - Land Use Concept		Redesignate lands on the south side of Country Club Drive, west of Alto Drive from "Residential" to "Open Space".	Redesignation is necessary to reflect the open space designation in the Approved Vincent Neighbourhood Plan.	Revise Schedule "A" accordingly.
A.11	Schedule "A" - Land Use Concept		Redesignate lands on the south side of Mohawk Road West, west of Magnolia Drive from "Residential" to "Major Institution".	Redesignation is required to recognize the recently constructed church.	Revise Schedule "A" accordingly.

HAMILTON OFFICIAL PLAN - THIRD ANNUAL UPDATE

(Only Those Items Prefaced With The Letter A Will Require
A Public Review and an Amendment to the Official Plan)

ITEM NUMBER	SUBSECTION OR SCHEDULE	POLICY AND/OR SCHEDULE REFERENCE	CHANGE REQUIRED	REASON	RECOMMENDATION
A.12	Schedule "A" - Land Use Concept		Redesignate lands on the northwest corner of Upper Gage Avenue and Stone Church Road from "Residential" to "Commercial".	Redesignation is required to reflect the land use designation of the approved Randall Neighbourhood Plan.	Revise Schedule "A" accordingly.
A.13	Schedule "A" - Land Use Concept		Redesignate lands on the southeast corner of Upper Sherman Avenue and Stone Church Road from "Residential". to "Commercial.	Redesignation is required to reflect the land use designation of the approved Butler Multicentre Plan.	Revise Schedule "A" accordingly.
A.14	Schedule "A" - Land Use Concept		Redesignate lands along the City Limits north of Queenston Road from "Residential" to "Commercial".	Redesignation is necessary to reflect the long term intended use of these lands as highlighted in the approved Riverdale East Neighbourhood Plan.	Revise Schedule "A" accordingly.
A.15	Schedule "B" - Special Policy Areas		Revise Schedule to include the lands located at the base of the escarpment between Victoria Avenue and Sherman Avenue and lands north of Wilson Street, west of Wentworth Street within Special Policy Area 11 - Light Industrial.	These lands are designated Industrial on Schedule A - Land Use concept. The revision would ensure that these lands are used for light industrial purposes.	Revise Schedule "B" accordingly.

HAMILTON OFFICIAL PLAN - THIRD ANNUAL UPDATE

(Only Those Items Prefaced With The Letter A Will Require
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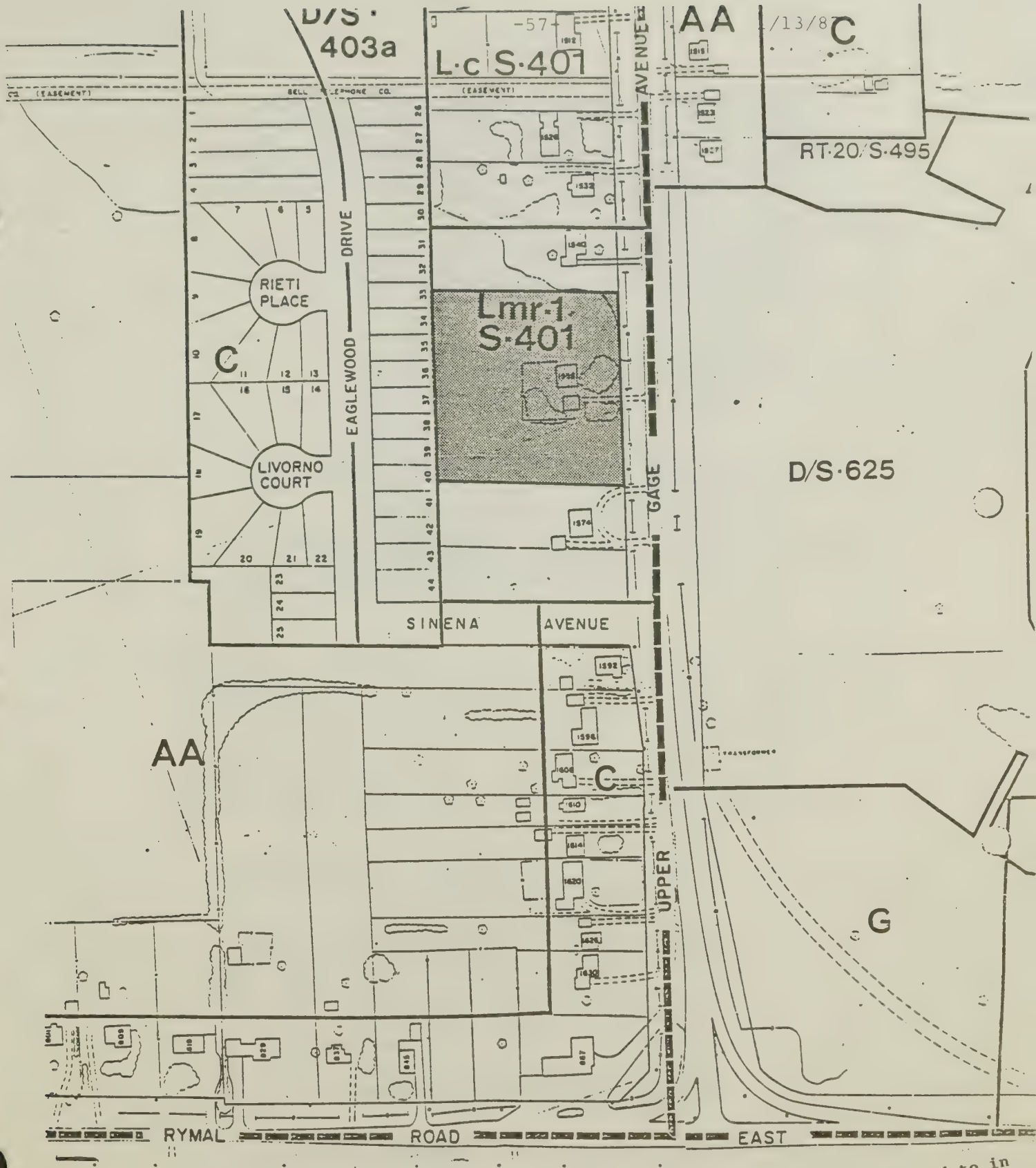
ITEM NUMBER	SUBSECTION OR SCHEDULE	POLICY AND/OR SCHEDULE REFERENCE	CHANGE REQUIRED	REASON	RECOMMENDATION
A.16	Schedule "B" - Special Policy Areas		Delete the lands on Grays Road, north of the Q.E.W. from Special Policy Area 10.	Deletion of these lands from S.P.A. #10 is necessary to ensure conformity with the Regional Official Plan.	Revise Schedule "B" accordingly.
A.17	Schedule "F" - Major Roads		Delete the West 5th Street alignment south of Stone Church Road West, as shown on attached Schedule.	The alignment of West 5th St. is no longer required in the development of the Kennedy West Neighbourhood.	Revise Schedule "F" accordingly.

7/13/87

HAMILTON OFFICIAL PLAN - THIRD ANNUAL UPDATE

(Only Those Items Prefaced With The Letter A Will Require A Public Review and an Amendment to the Official Plan)

ITEM NUMBER	SUBSECTION OR SCHEDULE	POLICY AND/OR SCHEDULE REFERENCE	CHANGE REQUIRED	REASON	RECOMMENDATION
B.1	C.7	C.7.4(i)	Lower case "p" for "policies"	Typographical error.	Revise Policy accordingly.
B.2	D.3	D.3.6	Capitalize the "R" in the word "residential" on first line of the third paragraph.	Typographical error.	Revise Policy accordingly.
B.3	D.8	D.8.2	Amend the Policy as follows: "..."B", "B-1", "B-2", "C", "D", "F", "G" and "H" are....."	To include new schedules "B-2" and "H" in the Policy, as introduced by Official Plan Amendments No. 7 and 15, respectively.	Revise Policy accordingly.



LEGEND

SITE OF THE APPLICATION

Appendix "G" as referred to in Item 9 of the - FIRST Report for 1987 of the Planning and Development Committee

1.

6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:

(a) to pay municipal, realty and business taxes;
(b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
(c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
(d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
(e) to pay building permit application fee;
(f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
(g) to pay for the connection of all utilities to the premises;
(h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
(i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
(j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

1. That the transferee shall commence construction of a building, having a minimum building area of 25,000 square feet, upon the hereinbefore described land by not later than November 23, 1987

* Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

2. That the transferee shall complete construction of the said building by not later than November 23, 1988

The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

3. That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.

Appendix "H" as referred to in Item 15 of the FIRST Report of the Planning and Development Committee for 1987

4. In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the transferee covenants and agrees that the transferee shall sell the lands to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

5. The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said transferee.

6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.

6.5 The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

THIS AGREEMENT made in Duplicate the 28 day of November 1986.

B E T W E E N:

ALTOFORT DEVELOPMENTS INC., a corporation incorporated under the laws of the Province of Ontario,

c/o Mr. Mario Bartolini
687 Main Street East
Hamilton, Ontario
L8M 1K2

(hereinafter called "PURCHASER")

OF THE FIRST PART

- and -

THE CORPORATION OF THE CITY OF HAMILTON

(hereinafter called the "CITY")

OF THE SECOND PART

WHEREAS the City is the owner of the lands and premises described in Schedule "B" hereto attached (the "Property"), and

WHEREAS the City has agreed to grant an option to purchase the Property to the Purchaser for the consideration and on the terms and conditions hereinafter set forth.

1.00 GRANT OF OPTION

1.01 In consideration of the sum of NINE HUNDRED AND TWENTY DOLLARS ($920.00) of lawful money of Canada now paid by the Purchaser to the City (the receipt of which is hereby acknowledged by the City, the City hereby grants to the Purchaser the sole and exclusive option, irrevocable within the time for acceptance herein limited, to purchase the Property upon and subject to the terms and conditions hereinafter set forth (the "Option").

2.00 PURCHASE PRICE

2.01 The purchase price hereinafter set forth (the "Price") for the property shall be the sum of NINETY-TWO THOUSAND DOLLARS--------($92,000.00) subject to the following provisions:

(a) the amount of NINE THOUSAND, TWO HUNDRED DOLLARS------ ($9,200.00) shall be payable by the Purchaser on the exercise of the Option pursuant to Section 3.01, by certified cheque as a deposit to be held by the City;

Appendix "I" as referred to in Item 16 (2) of the FIRST Report for 1987 of the Planning and Development Committee

(b) the option fee in the amount of **NINE HUNDRED AND TWENTY DOLLARS------- ($920.00)** referred to in Section 1.01 is non-interest bearing and is not refundable if the Option is not exercised pursuant to Section 3.01' however, if the Option is exercised pursuant to Section 3.01 the $920.00 shall be credited against the balance of the Price payable by the purchaser on closing. In the event the Option is exercised pursuant to Section 3.01 and the transaction cannot be closed on the closing date due to the inability of the City to convey good title to the property, then the $920.00 option fee and the $9,200.00 deposit shall be returned to the Purchaser without interest;

(c) the balance of the Price shall be payable on closing by the Purchaser to the City by cash or certified cheque, subject only to the usual adjustments.

3.00 **EXERCISE OF OPTION**

3.01 The Option shall be open for exercise by the Purchaser until September 30th, 1987. The Purchaser shall exercise the Option by means of a registered letter to the City. In the event the Option is not exercised within the time hereinbefore limited for exercise, this agreement shall be null and void and no longer binding upon the parties hereto. In the event the Purchaser exercises the Option within the time hereinbefore limited for acceptance, this agreement shall become a binding agreement of purchase and sale between the parties hereto and the same shall be completed on the terms herein set out.

4.00 **TITLE**

4.01 On the closing of this transaction, the City will convey the Property to the Purchaser by a good and sufficient deed thereof in fee simple, free and clear of all encumbrances, except as to any registered restriction or covenants, and shall deliver vacant possession of the Property to the Purchaser free of all tenancies.

4.02 The City shall not encumber or deal with the Property while this agreement or the agreement of purchase and sale arising out of the exercise of the Option remains in force and effect.

4.03 The Purchaser is to be allowed thirty days from the date of exercising of the Option to examine the title at his own expense. If within that time any valid objection to title is made in writing to the City, or its Solicitor, which the City shall be unable or unwilling to remove and which the Purchaser will not waive, the contract arising out of the acceptance of this Offer shall, notwithstanding any intermediate acts or negotiations in respect of such objections, be null and void and all monies shall be returned by the City without interest and it shall not be liable for any damages or costs. Save as to any valid objection so made within such time the Purchaser shall be conclusively deemed to have accepted the title of the City to the real property.

4.04 This agreement is made on all of the express and specific conditions as hereinafter contained, upon which the City relies, and failing the fulfillment of any one or more of them on or before closing, this agreement, even though accepted, shall at the sole option of the City, become null and void, in which event, the Purchaser shall forfeit the deposit monies and all other monies paid hereunder to the City, as liquidated damages, and the City may waive any one or all of the following conditions at his option, without prejudice to his right of recission in the event of the nonfulfillment of any other condition or conditions, and any such waiver shall be binding upon the City only if the same is in writing and submitted to the Purchaser in accordance with the notice provisions hereof. The following are also deemed to be covenants and warranties on the part of the Purchaser:

i) The Purchaser agrees to obtain the approval of the City for its site and building plans and more particularly, without limiting the generality of the foregoing, for the external materials to be employed by the Purchaser and for the overall appearance of the proposed buildings.

ii) The Purchaser agrees to enter into a development agreement with the area municipality satisfactory to the City, at its own cost.

iii) The Purchaser agrees to obtain all permits and approvals and satisfy all requirements and restrictions of the City and all other agencies at its own cost.

4.05 The Purchaser, also known as the Transferee, agrees with the City, also known as the Transferor, to the following convenants, warranties, conditions and restrictions and agrees that the Transfer to it, which he shall execute and register on title shall be subject to and include the following covenants, warranties, conditions and restrictions, which shall not merge on the closing of this transaction but shall continue on after the date of closing and run with the land:

"In consideration for the transfer of the hereinbefore described land to the Transferee, in addition to the payment of the sale price to the Transferor, the Transferee covenants and agrees to and with the Transferor:

i) That the Transferee shall commence construction of a building having a minimum building area of 8,250 square feet upon the hereinbefore described land by not later than May 30th, 1988. Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Municipal Building Department.

ii) That the Transferee shall complete construction of the said building not later than May 30th, 1989. The building is considered completed upon the issuance by the Municipal Building Department of an Occupancy Permit.

iii) That no transfer of the hereinbefore described property shall be made by the Transferee until the Regional Municipality of Hamilton-Wentworth confirms that the covenants in paragraphs i) and ii) have been complied with.

iv) The Transferee agrees to complete the construction of all parking areas, driveways and landscaping on the property, at its own expense and to the satisfaction of the Transferor within one year of completion of construction of the building. If at the end of the time the construction has not been completed or is unsatisfactory to the Transferor, then the Transferor shall have the right to enter upon the said property and complete the construction and the Transferee agrees to indemnify the Transferor for all the costs of completion.

v) The Transferee agrees to complete the construction of the building according to the site plans and building plans approved and agreed upon by the Transferor.

vi) The Transferee's title and estate in the said property is conditional upon the Transferee's completing conditions in paragraph i) and ii) within the time required.

vii) If the Transferee fails to comply with the conditions in paragraphs i) and ii) above within the time required, then the Transferor shall have the right to enter upon the said property herein upon 30 days notice to the Transferee, and any such entry by the Transferor, pursuant to the terms hereof, shall determine the estate of the Transferee. Notice of the entry may be registered by the Transferor on title.

viii) Upon such entry the Transferee, at his own cost shall execute and register a transfer of the property to the Transferor free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever, upon the written request of the Transferor and the Transferor agrees to pay to the Transferee the original purchase price herein, less the deposit, less the commission paid (if any) by the Transferor to a real estate agent; less arrears of realty taxes, penalty and interest (including local improvement charges), less amounts required to discharge any mortgages, liens, charges or other encumbrances against the property and less the costs of the City incurred in entering upon the property and retaking and reselling the property and without increase or compensation for any improvements, additions, alterations in, on or under the property.

ix) It is understood and agreed that the Vendor is responsible at its own cost for the installation of all storm, sanitary, water lines, connections and laterals under the street to the property line of the subject property".

4.06 The Purchaser acknowledges that in addition to the sale price payable in this Offer to Purchase there may be municipal, regional governmental and provincial charges, fees, levies, and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required:

i) To pay Municipal realty and business taxes;

ii) To pay Municipal Local Improvement Charges for streets, sidewalks and curbs;

iii) To pay Regional Local Improvement Charges for water supply, storm sewers and sanitary sewers;

iv) To pay building permit application fee;

v) To pay for the connection of all utilities to the premises.

4.07 This agreement may not be assigned by the Purchaser without the written consent of the City.

4.08 The Purchaser is not to call for the production of any title deeds, abstracts or other evidence of title except such as are in the possession of the City.

5.00 **CLOSING DATE**

5.01 The agreement of purchase and sale arising out of the exercise of the Option shall be completed on or before the 19th day of December,1987, subject to the conditions contained in the Schedule "A" attached hereto, or on such other date as may be agreed upon in writing between the parties hereto and on closing the City shall convey the Property to the Purchaser and deliver vacant possession thereof.

5.02 The Purchaser shall assume taxes, local improvement, water and sewer rates from the date set out in paragraph 5.01 hereof.

5.03 The deed or transfer is to be prepared at the expense of the City.

5.04 If the Purchaser is a Trustee the deed or transfer is to contain trustee covenants only.

5.05 This agreement and its acceptance is to be read with all changes of gender or number required by the context.

5.06 In the event of failure of the Purchaser to complete this transaction by the date set out in paragraph 5.01 hereof, the deposit shall be forfeited to the City as liquidated damages, in addition to any other right or remedy to which the City may be entitled hereunder.

5.07 Any tender of documents or money may be made upon the parties hereto or their solicitors or agents and may be either by cash or certified cheque or in the case of payment by the City, by means of the City's uncertified cheque.

5.08 The Purchaser agrees that the City may register this agreement or a notice of this agreement on title to the property.

6.00 **REPRESENTATIONS AND WARRANTIES**

6.01 It is understood and agreed by the Purchaser and City that the City does not warrant the suitability of the property for any development use or any proposed use. The Purchaser acknowledges that the subject site is lower than Highway 53 and will require substantial fill to make the site developable.

6.02 It is agreed that there is no representation, warranty, collateral agreement, or condition affecting this agreement or the real property other than as expressed herein in writing.

6.03 The Purchaser agrees that the agreement of Purchase and Sale and any or all of its terms, conditions, covenants, warranties, restrictions or stipulations shall not merge on the closing of this transaction or upon the registration of the deed on title, but shall survive after the closing.

6.04 The cost of preparing and registering any releases on the completion or satisfaction of any conditions in this agreement shall be the responsibility of the Purchaser.

6.05 Time in all respects shall be of the essence of this agreement, which shall enure to the benefit of and be binding upon the Purchaser, his heirs, executors, administrators, successors and assigns, and shall enure to the benefit of and be binding upon the City, its successors and assigns.

7.00 **NOTICE**

7.01 Notices to be given to the City shall be in writing, personally delivered or sent by registered mail (except during a postal disruption or threatened postal disruption), telegrams or other similar means of prepaid recorded communication to the applicable address set forth below (or to such other addresses as the City may from time to time designate in such manner):

The Corporation of the City of Hamilton
Attention: The City Clerk
71 Main Street West
Hamilton, Ontario
L8N 3T4

7.02 Notices to be given to the Purchaser shall be in writing, personally delivered or sent by registered mail (except during postal disruption or threatened postal disruption), telegram or other similar means of prepaid recorded commmunication to the applicable address set forth below (or to such other addresses as the Purchaser may from time to time designate in such manner):

6

ALTOFORT DEVELOPMENTS INC.
~~FORTINO'S SUPER MARKET LTD.~~
c/o Mr. Mario Bartolini
687 Main Street East
Hamilton, Ontario
L8M 1K2

7.03 Notices personally delivered shall be deemed to have been validly and effectively given on the day of such delivery. Any notice sent by registered mail shall be deemed to have been validly and effectively given on the third business day following the date on which it was sent. Any notice sent by telegram or other means mentioned above shall be deemed to have been validly and effectively given on the business day next following the day on which it was sent.

DATED at Hamilton this 28 day of November , 1986 .

ALTOFORT DEVELOPMENTS INC.
~~FORTINO'S SUPER MARKET LTD.~~
Per:

SIGNED, SEALED AND DELIVERED)
)
) _____
) President
in the presence of)THE CORPORATION OF THE CITY OF HAMILTON
)
)
) _____
)Mayor
)
)
) _____
)City Clerk

Name of Purchaser's Solicitor _____

Address of Purchaser's Solicitor _____

SCHEDULE "A"

Lot 5, South Half of Lot 6
Plan M-227

~~Fortino's Super Markets Ltd.~~
Altofort Developments Inc.

The completion of this transaction is subject to the following conditions:

1. That subject land being zoned for the Purchaser's proposed use. If such zoning is not in place then the Purchaser will forthwith undertake and diligently move to have the appropriate zoning by-law passed and all other required steps completed to rezone the M-12 zoning district to allow the Purchaser's proposed use.

   In the event that the said zoning amendment cannot be obtained and the Purchaser is not prepared to waive said condition, then the contract of purchase and sale arising out of the acceptance of this Option to Purchase by the Purchaser shall become null and void and the deposit ($9,200.00) shall be returned without interest.

SCHEDULE "B"

Property	Purchaser
Lot 5 & the South Half of Lot 6 Plan M-227	Altofort Developments Inc.

In consideration of the sum of NINE HUNDRED AND TWENTY DOLLARS ($920.00) paid by the Purchaser to the City (the receipt whereof is hereby acknowledged), the City hereby grants to the Purchaser the sole and exclusive option, irrevocable within the time for acceptance herein limited, to purchase the following Property owned by the City, namely, the lands and premises situate in the City of Hamilton in the Regional Municipality of Hamilton-Wentworth and being composed of all of Lot 5 on and the southern half of Lot 6 Plan M-227. Said vacant land having a frontage of 308.15' and containing an area of 3.0163 Acres.

Dated at Hamilton this 28 day of November 19 86

ALTOFORT DEVELOPMENTS INC.

Per: _____
President

WITNESS:

THE CORPORATION OF THE CITY OF HAMILTON
Per:

_____ _____
Mayor

_____ _____
City Clerk

6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the grant to him:

(a) to pay municipal, realty and business taxes;
(b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
(c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
(d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
(e) to pay building permit application fee;
(f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
(g) to pay for the connection of all utilities to the premises;
(h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
(i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
(j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6.3 In consideration for the grant of the hereinbefore described land to the grantee, in addition to payment of the sale price to the grantor, the grantee covenants and agrees to and with the grantor:

1. That the grantee shall commence construction of a building, having a minimum building area of **8,000 sq.ft.** square feet, upon the hereinbefore described land by not later than **February 21st, 1988 .**

   Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

2. That the grantee shall complete construction of the said building not later than **February 21st, 1989.**

   The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

3. In the event that the grantee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the grantee covenants and agrees that the grantee shall sell the lands to The Corporation of the City of Hamilton, free and clear

Appendix "J" as referred to in Item 17 of the EIGHTH Report for 1987 of the Planning and Development Committee

of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the City, for the sale price herein, (without any interest) - less (a) the herein deposit; (b) the commission paid (if any) by the City to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.

6.5 The Purchaser agrees that the deed to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

REPORT OF THE LEGISLATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **FIRST** Report for 1987 and respectfully recommends:

1. Approval of the actions of the Committee in authorizing the Board of Education to place a banner on the balcony of City Hall from January 7 to January 17, 1987 inclusive, to promote the Board of Education's "Technology Showcase" which will be held at the Hamilton Convention Centre January 16 and 17, 1987.

2. That the following civic awards be approved for members of the Steel City Riders' Motorcycle Club:

	Name	Event & Place	Award
(a)	**Scott Sehl**	500 cc Junior Ice Race	Gold Ring
		500 cc Junior Half Mile Dirt Track	Diamond Insert
(b)	**Stephen Beattie**	500 cc Junior Short Track	Gold Ring
		250 cc Junior Half Mile	Diamond Insert
		250 cc Junior Short Track	Ruby Insert
(c)	**Marty Burr**	125 cc Senior Motocross	Gold Ring
		250 cc Senior Motocross	Diamond Insert
(d)	**Steve Bulyovsky**	80 cc Schoolboy Motocross	Gold Ring
(e)	**Rick Fortman**	300 cc Junior Enduro	Gold Ring

3. That a civic gold ring and diamond insert be awarded to Mr. Nimrod King who won the 1986 Junior Canada (heavyweight) Bodybuilding Championship in Ottawa, Ontario on September 20, 1986 and the 1986 Junior World (heavyweight) Bodybuilding Championship in Russelsheim, West Germany on November 22, 1986.

4. That the City of Hamilton purchase a one-twelfth page ad in the KIN magazine, at an estimated cost of $130, and that same be charged to City Clerk's Advertising Account No. 0322-0112.

5. That the City of Hamilton purchase a one-eighth page ad in the Ad and Sales Club of Hamilton's 75th Anniversary Book at a cost of approximately $125, and that same be charged to the accounts of the Mayor's Office.

6. (a) Approval of the expenditure of $1 500 for reciprocating the hospitality of the Chinese Officials with respect to Mayor Morrow and Alderman McCulloch's recent trip to China. This expenditure to be charged to Account No. 0378-2789 - Unclassified Expenditures.

   (b) That the City of Hamilton officially twin with the City of Ma' AnShan, China.

   (c) That a seminar be conducted in late January, 1987 at which time information obtained as a result of the visit to China and Hong Kong can be shared with the local cultural and business community.

7. (a) That the service agreement between the Corporation of the City of Hamilton and the Hamilton Society for the Prevention of Cruelty to Animals be revised so as to reflect the substantive changes in services as approved by City Council on November 11, 1986.

   (b) That the City Solicitor be authorized and directed to have the agreement revised and executed.

8. That leave be granted to introduce the following bills:

   (a) **Bill E-1** By-law Respecting Farm Animals, Exotic Animals, Pet Shops, Licenced Kennels.

* (b) **Bill E-2** By-law to Amend Licencing By-law No. 79-323 Respecting Bingo Parlours.

** (c) **Bill E-3** By-law to Amend Lottery Licence By-law No. 78-130 Respecting Bingo Lotteries.

***9. That the composition of the French Sub-Committee be increased from 5 francophone members to 6 francophone members.

NOTE: City Council with the adoption of Item 6 of the First Report of the Legislation Committee on 1985 January 29, established a French Sub-Committee to be composed of 5 francophones and 2 members of City Council to report to the Legislation Committee.

Respectfully submitted,

J. J. Schatz, Acting Secretary
1987 January 5

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

* Section 8(b) added during Council
** Section 8(c) added during Council
*** Section 9 added during Council

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its **FIRST** Report for 1987 and respectfully recommends:

1. Approval of rates for The Hamilton General Contractors Association and the Labourers' International Union of North America, Local 837, Hamilton, attached hereto as Schedule "A".

2. That the hourly rate of Part-time Temporary Cashiers in the Department of Culture and Recreation be increased from $4.35 per hour to $4.60 per hour, effective January 1, 1987.

   Note: This increase is to maintain the wage differential between the positions of Cashier and Checker.

3. Approval of the adoption of the Performance Appraisal Policy attached hereto as Schedule "B".

4. Approval of Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to 1986 December 29, as set out on the list attached hereto as Schedule "C".

Respectfully submitted,

ALDERMAN M. KISS, CHAIRMAN,
PERSONNEL COMMITTEE.

E. A. Simpson, Secretary,
1987 January 7.

1/13/87

Referred to in Section 1 of the First Report of the Personnel Committ

SCHEDULE "A"

The Hamilton General Contractors Association and the Labourer's International Union of North America, Local 837, Hamilton. These rates pertain to Industrial, Commercial and Institutional Buildings

Duration of Agreement - June 23, 1986 to April 30, 1988

The wage package below is applicable to the following classifications: general labourer, form worker, concrete worker, jackhammer operator, vibrator operator, fork lift operator, pump operator, compressor operator, truck driver, barman, mixerman, pumpman, pre-cast erector, equipment operator and plasterers tender.

Date	Basic Hourly Rate	Vac. Pay	Welfare	Pension	Train. Fund	Total Package
June 23/86	$15.37	$1.54 10%	$1.50	$.80	$.45	$19.66
June 30/86	$15.37	$1.54 10%	$1.50	$.80	$.50	$19.71
May 1/87	$16.10	$1.61 10%	$1.50	$.80	$.50	$20.51

Cement Finishers

Employees finishing cement shall be paid a premium of seventy-five cents ($.75) per hour over the base rate.

Refractory (Firebrick) Tenders

Employees tending refractory (firebrick) masons will receive a premium of twenty-five ($.25) cents per hour over the base rate.

Masonry (Redbrick) Tenders

Employees tending (redbrick) masons will receive a premium of ten ($.10) cents per hour over the base rate.

Working Foreman

A working foreman shall receive a minimum of one dollar ($1.00) per hour above the basic labourers' rate.

Travelling Expenses

Travelling Expense of thirty-four ($.34) cents per mile.

Plasterers' Appendix

The conditions in this appendix apply only to those contractors engaged in the plastering trade which includes such work as the taping of drywall, the application of sprayed asbestos, gypsum or liquid materials for the purpose of fireproofing, and the application of all sprayed, plaster textured materials applied to drywall, block and concrete.

Date	Basic Hourly Rate	Vac. Pay	Welfare	Pension	Train. Fund	Total Package
June 23/86	$16.72	$1.67 10%	$1.50	$.80	$.45	$21.14
June 30/86	$16.72	$1.67 10%	$1.50	$.80	$.50	$21.19
May 1/87	$17.45	$1.75 10%	$1.50	$.80	$.50	$22.00

Foreman

Whenever more than four plasterers or tapers are employed on one job, a foreman shall be provided. Such men shall receive one dollar ($1.00) per hour additional pay.

Travelling Expenses

Travelling expense of thirty ($.30) cents per mile.

Apprentices

Wages shall be calculated as follows according to the journeyman's rate:

1st year	50%
2nd year	60%
3rd year	70%
4th year	85%

Referred to in Section 3 of the First Report of the Personnel Committee 1/13/87

PERFORMANCE APPRAISAL POLICY

The Corporation of the City of Hamilton wishes to promote the use of the performance appraisal process.

A. OBJECTIVES

(1) Provide a regularly scheduled review of each employee's performance during a given period of time to:

(a) measure performance relative to the duties and responsibilities of the position held

(b) encourage employees to set personal performance standards and goals

(c) encourage employees toward a program of personal development through training and education

(d) guage the suitability of the employee for additional responsibility or promotion

(2) Provide a means for increased interaction between a supervisor and his subordinates by encouraging supervisors to observe the behaviour of their employees and assist them to achieve their performance potential.

(3) Develop specific requirements for training and development for individual employees, groups of employees or certain positions.

(4) Keep a record, on an objective basis, of the employee's work performance

(5) Establish a basis for assessment of annual increases if applicable.

B. RESPONSIBILITIES

(1) CITY COUNCIL

(a) Adoption of Performance Appraisal Policy

(b) Adoption of amendments to Performance Appraisal Policy

(2) CHIEF ADMINISTRATIVE OFFICER

(a) Ensure proper implementation of policy

(b) Ensure maintenance of policy

(c) Provide a regularly scheduled performance appraisal evaluation of the individual Department Heads.

(d) Final review of all Performance Appraisal Forms.

(3) DIRECTOR OF PERSONNEL

(a) Develop and administer Performance Appraisal Program in consultation with other Department Heads and the Chief Administrative Officer

(b) Provide training programs for implementation and maintenance of program

(4) DEPARTMENT HEADS

(a) Administer and co-ordinate the program within his/her department

(b) Report regularly on the departmental results of the process to the Chief Administrative Officer

(c) As part of the process, provide a regularly scheduled performance appraisal evaluation of the individual managers, supervisors, foremen or employees reporting directly to him/her.

(5) SUPERVISORS AND/OR FOREMEN

(a) Provide a regularly scheduled performance appraisal evaluation of all individuals who report directly to him/her either directly, or through a subordinate supervisor.

(b) Recommend to the Department Head (Supervisor in the case of the Foremen) the performance standards for the positions under his/her control.

(c) Report regularly to Department Head (Supervisor in the case of Foremen) on the results of the process.

SCHEDULE "C"

Referred to in Section 4 of the First Report of the Personnel Committee

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Henry Akeman	Garbageman	Public Works	additional staff as approved	D-8	$11.344 per hour	86/11/17
Mr. Carmelo Alaimo	Garbageman	Public Works	additional staff as approved	D-8	$11.344 per hour	86/12/08
Mrs. Silvana Albano	Stenographer B	City Clerk's	returned to perm. position (was repl. N. Burden - illness)	108N	$21947.12 per annum	86/10/31
Mr. George Almas	Captain	Fire	replacing Mr. Gary Smith - promoted	C-8	$43216.76 per annum	86/12/25
Mr. Christopher Anker	Garbageman	Public Works	replacing Mr. Bruce Walker - retired	D-8	$11.144 per hour	86/12/01
Miss Ann Boyajian	Typist Clerk II	Treasury	replacing Ms. Sandra McMurrich - promoted	E-2	$324.86 per week	86/12/01
Mr. Brad Burniston	Truck Driver-Labourer (Litter Containers)	Public Works	replacing Mr. Carmelo Alaimo - promoted	D-7	$11.087 per hour	86/12/02
Miss Frances Caprice	By-Law Enforcement Constable	Traffic	returned to previous position per employee's request	B-5	$469.09 per week	86/11/17

Prepared 1986 December 29

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Alan Carr	Garbageman	Public Works	additional staff as approved	D-8	$11.344 per hour	86/11/17
Mr. John Dove	Lieutenant	Fire	replacing Mr. R. McDonald - deceased	C-7	$39876.67 per annum	86/12/14
Mr. Lorne Farr	Solicitor III	City Solicitor's	additional staff as approved	115	$30408.56 per annum	86/12/01
Mr. Gary Flynn	By-Law Enforcement Constable	Traffic	returned to previous position per employee's request	B-5	$469.09 per week	86/12/01
Mr. Douglas Johnstone	Captain	Fire	replacing Mr. S. Dickinson - promoted	C-8	$43216.76 per annum	86/12/25
Miss Deborah Marsh	Cashier	Treasury	replacing Ms. M. Coy - promoted	E-4	$365.58 per week	86/12/08
Mr. William McKay	Garbageman	Public Works	additional staff as approved	D-8	$11.344 per hour	86/11/17
Miss Sandra McMurrich	Stenographer III	Purchasing Div. of Treasury	replacing Ms. P. Empey - promoted	E-3	$333.04 per week	86/11/17
Ms. Debbie Myers	Junior Cost Control Clerk	Central Garage Division of Public Works	replacing Ms. L. Barker - promoted	A-3	$362.80 per week	86/12/01

Prepared 1986 December 29

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Gordon Noble	Garbageman	Public Works	additional staff as approved	D-8	$11.344 per hour	86/11/17
Mr. John Noseworthy	Engineering Clerk	City Architect's	replacing Ms. Patricia Harper - promoted	A-4	$438.40 per week	86/12/15
Ms. Lise Poulin	Stenographer III	Public Works	replacing Ms. Susan Biasutti - promoted	E-3	$333.04 per week	86/12/01
Mr. Joseph Sadauskas	Traffic Serviceman II	Traffic	replacing Mr. B. Pollington - promoted	A-3	$362.80 per week	86/12/01
Mr. Ronald Saunders	Lieutenant	Fire	replacing Mr. K. Cleland - retired	C-7	$39876.67 per annum	86/11/30
Mr. William Smith	Garbageman	Public Works	additional staff as approved	D-8	$11.344 per hour	86/11/17
Miss Kimberly Switzer	Manager of Support Services	Treasury	replacing Mr. Frank Edwards - promoted	118	$38750.92 per annum	86/11/10
Mrs. Susan Walton	Lifeguard I	Culture and Recreation	returned to perm. position (temp. promotion ended)	CH-5	$370.18 per week	86/12/15

Prepared 1986 December 29

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mrs. Marlene Aulenbach	Pool Supervisor	Culture and Recreation	deceased	8 yrs. & 2 mos.	86/11/15
Mr. William Carson	Firefighter I	Fire	retired	35 yrs. & 1 mo.	86/12/20
Mr. Edgar Gilby	Firefighter I	Fire	retired	34 yrs. & 9 mos.	86/12/31
Mr. William Glover	Lieutenant	Fire	retired	26 yrs. & 8 mos.	86/12/10
Miss Katherine Gross	Stenographer III	Building	resigned	5 mos.	86/12/29
Mr. Roy Hilborn	Foreman (Machine Shop)	Central Garage Div. of Public Works	retired	30 yrs. & 2 mos.	86/12/31
Mr. Percy MacLean	Caretaker	Property Maint. Div. of Real Estate	retired	13 yrs.	86/12/01
Mr. Donald MacLeod	Senior Building Inspector	Building	retired	35 yrs. & 4 mos.	86/12/31
Mr. Michael Marynowicz	General Foreman (Landscaping)	Parks Division of Public Works	retired	28 yrs. & 10 mos.	86/12/31
Mr. Kerwan McGowan	Foreman II (Sanitation)	Public Works	retired	35 yrs. & 7 mos.	86/10/31
Mr. Gordon Millar	Chief Fire Prevention Officer	Fire	retired	30 yrs. & 6 mos.	86/12/31
Mr. Earl Pearson	Assistant Deputy Chief	Fire	retired	34 yrs. & 9 mos.	86/12/31

Prepared 1986 December 29

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Alan Smith	Traffic Checker	Traffic	retired	22 yrs. & 5 mos.	86/12/31
Mr. Ronald Thomas	Firefighter I	Fire	retired	34 yrs. & 5 mos.	86/12/31
Mr. Donald Young	Firefighter I	Fire	retired	35 yrs. & 9 mos.	86/12/31

Prepared 1986 December 29

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. David Baker	Assistant Manager - Data Centre (temporary)	Treasury	replacing Mr. Mike Goldsmith - promoted	115	$30408.56 per annum	86/11/29
Miss Jeannie Dodman	Counter Clerk (temporary)	Public Works	replacing Mrs. Agapi Pirkas - promoted	A-3	$362.80 per week	86/12/22
Mr. Mike Goldsmith	Manager - Data Centre (temporary)	Treasury	replacing Mr. Kozo Kumita - illness	118	$38750.92 per annum	86/09/29
Ms. Katherine Killins	Curator - Dundurn Castle (temporary)	Culture and Recreation	replacing Ms. Marilynn Soules - promoted	109R	$22618.60 per annum	86/10/06
Mr. Gordon Kudlowich	Motor Mechanic Helper (sick relief)	Central Garage Div. of Public Works	replacing Mr. Ken Bellavance - L.T.D.	D-9	$11.202 per hour	86/12/09
Mrs. Lori Peddle	Legislative Assistant I (temporary)	City Clerk's	replacing Mrs. S. Reeder - maternity leave	115	$31779.28 per annum	86/11/10
Mrs. Agapi Pirkas	Claims Clerk (temporary)	Public Works	replacing Mrs. Kay Morden - maternity leave	A-5	$415.14 per week	86/12/15
Mr. Jeff Roy	Rink Attendant (sick relief)	Culture and Recreation	replacing Mr. Larry Taggart - promoted	D-5	$11.161 per hour	86/11/05

Prepared 1986 December 29

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Miss Rosemarie Miksza	Smoking By-law Information Officer (temporary, contract position)	City Clerk's	lay off (end of contract)	6 mos.	86/11/21

1/13/87

Prepared 1986 December 29

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **FIRST** Report for 1987 and respectfully recommends:

1. For the information of the members of City Council the following citizen members have been appointed to serve on the Mayor's Race Relations Committee for the duration of this Council's term of office:

Domenic Agostino
Peter Shebib
Santok Singh Pooni
Evelyn Auchinvole
Mrs. Chai Chu Thompson

Respectfully submitted

Robert M. Morrow
Mayor

L. Peddle, Secretary
Mayor's Race Relations Committee

1987 January 7

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, JANUARY 27, 1987
2:00 O'CLOCK, P.M.

Special meeting of City Council called at the direction of His Worship Mayor Robert M. Morrow to deal with the 1987 current budget.

PRESENT: Robert M. Morrow, Esq., Mayor.

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross.

The Clerk read the notice calling the meeting.

* *

It was moved by Alderman Valeriano and seconded by Alderman Cooke.

RESOLVED: agree initially that we go to 6.9% first.

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Cowell, Gallagher, Murray, Ross. - 12.

NAYS: Aldermen Kiss, Agro, Copps, Smith. - 4. CARRIED.

* *

It was moved by Alderman Ross and seconded by Alderman Christopherson.

RESOLVED: that one day be set aside to deal with the 1987 budget estimates.

YEAS: Aldermen Kiss, McCulloch, Copps, Christopherson, Wheeler, Smith, Cowell, Gallagher, Ross. - 9.

NAYS: Mayor Morrow; Aldermen Cooke, Agro, Valeriano, Hinkley, Merling, Murray. - 7. CARRIED.

* *

NOTE: It was subsequently agreed, at the regular meeting of City Council held on Tuesday, January 27, 1987, that the special meeting to deal with the 1987 current estimates would be held on Thursday, January 29, 1987, at 1:00 o'clock, p.m.

* *

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, JANUARY 27, 1987
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross.

The Reverend Flavious Do Santos, Portuguese Baptist Church, led the Council in prayer.

His Worship Mayor Robert M. Morrow called the meeting to order.

His Worship Mayor Robert M. Morrow made a Civic Award presentation to Grey Fairley.

His Worship Mayor Robert M. Morrow read a proclamation proclaiming the week of February 1-7, 1987, as "White Cane Week" in Hamilton.

The minutes of the meeting of January 13, 1987, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application from Marko Curkovic, 460 Upper Kenilworth Avenue, Hamilton, Ontario, for a modification to "D" District regulations for property located at 460 Upper Kenilworth Avenue, dated January 14, 1987.

2. Application from Robert Leggat, 888 Guelph Line, Burlington, Ontario, for a change in zoning, property located at 1002 Upper Gage Avenue, dated January 20, 1987.

3. Application from T. Joseph Cooper & Marjorie J. Cooper, 187 Rymal Road West, Hamilton, Ontario, for a change in zoning, property located at 187 Rymal Road West, dated January 22, 1987.

4. Letter from Mr. E. A. Simpson, City Clerk, advising objections received to By-law Number 86-337, dated January 23, 1987. NO ACTION TAKEN.

5. Letter from Mr. E. A. Simpson, City Clerk, advising objections received to By-law Number 86-335, dated January 23, 1987. NO ACTION TAKEN.

6. Application from Hamilton General Homes (1971) Ltd., 590 Seaman Street, Stoney Creek, Ontario, for a modification to "M14"Distruct regulation for property located at 1180 Stone Church Road East, dated January 26, 1987.

7. Letter from Mr. Larry Wilson re removal of the German Howitzer from its historical site at Dundurn Castle, dated January 27, 1987.

8. Letter from Turkstra, Mazza, Lawyers, 15 Bold Street, Hamilton, Ontario, re application by Mr. Stewart McCollum for a taxi owner's licence, dated January 27, 1987.

* *

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole to consider the following Reports, with Mayor Morrow in the chair.

* *

(A) EXECUTIVE COMMITTEE - SECOND REPORT.

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Murray, Ross. - 16.

NAYS: Alderman Merling. - 1. CARRIED.

* *

It was moved by Alderman McCulloch and seconded by Alderman Cowell.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the awarding of a contract for carpeting for the Aldermen's offices. - CARRIED.

* *

It was moved by Alderman McCulloch and seconded by Alderman Cowell.

RESOLVED: that the following be added as Section 6.

"6. That a purchase order be issued to Flooring Warehouse Ltd., Hamilton, Ontario, for approximately 600 square yards of carpeting at $21.62 per square yard, plus 7% Provincial Sales Tax, for additions and alterations to City Hall, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Lowest of five (5) acceptable tenders received. Funds provided in the General Contingency Allowance of the approved Falla Construction contract Account #0408 A55335." - CARRIED.

* *

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - SECOND REPORT.

It was moved by Alderman Collins and seconded by Alderman Wheeler.

RESOLVED: that Section 12 be tabled. - CARRIED.

* *

(C) PARKS AND RECREATION COMMITTEE - SECOND REPORT.

It was moved by Alderman Agro and seconded by Alderman McCulloch.

RESOLVED: that Section 1 be referred back. - CARRIED.

* *

It was moved by Alderman Murray and seconded by Alderman Gallagher.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the use of Ivor Wynne Stadium for a Country and Western Concert. - CARRIED.

* *

It was moved by Alderman Murray and seconded by Alderman Gallagher.

RESOLVED: that the following be added as Section 8.

"8. That approval be given, in principle, for the use of Ivor Wynne Stadium on Sunday, May 31, 1987, between the hours of 2:00 p.m. and 8:00 p.m. for the purpose of staging a Country and Western Musical Concert, subject to specific approval by the City of Terms and Conditions, including performers and show content. - CARRIED.

* *

(D) PLANNING AND DEVELOPMENT COMMITTEE - SECOND REPORT.

Recorded vote on Section 6.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Smith, Murray, Ross. - 13.

NAYS: Alderman Copps. - 1. CARRIED.

* *

Recorded vote on Section 12.

YEAS: Aldermen Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith. - 10.

NAYS: Mayor Morrow; Aldermen Cooke, Cowell, Gallagher, Merling, Murray, Ross. - 7. CARRIED.

* *

(E) LEGISLATION COMMITTEE - SECOND REPORT.

Recorded vote on Section 4.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Murray, Ross. - 16.

NAYS: Alderman Merling. - 1. CARRIED.

* *

LEGISLATION COMMITTEE - THIRD REPORT.

It was moved by Alderman Agro and seconded by Alderman Christopherson.

RESOLVED: that the following be added as Section 2.

"2. That responsibility for the City of Hamilton's bid to host the 1994 Commonwealth Games be transferred from the Legislation Committee to the Executive Committee. - CARRIED.

* *

(F) PERSONNEL COMMITTEE - SECOND REPORT.

* *

(G) FINANCE COMMITTEE - FIRST REPORT.

It was moved by Alderman Valeriano and seconded by Alderman Cooke.

RESOLVED: that Section 19 be referred back. - CARRIED.

* *

Recorded vote on calling of the previous question on Section 23.

YEAS: Mayor Morrow; Aldermen Agro, McCulloch, Valeriano, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 11.

NAYS: Aldermen Cooke, Kiss, Hinkley, Copps, Christopherson, Collins. - 6. CARRIED.

* *

It was moved by Alderman Valeriano and seconded by Alderman Agro.

RESOLVED: that the following be added as Sections 22 and 23:

"22. That the user fee for the purchase of a bus pass for Senior Citizens (age 70 and over) be increased by $2.50 per annum, from $25.00 to $27.50 annually, effective for the renewal of passes 1987 April 1." - CARRIED.

23. That the user fee for a Group "B" monthly adult bus pass ($24.00) or $.60 per ticket be increased as follows:

(a) effective July 1, 1987 from $24.00 to $30.00 per month per pass and from $.60 to $.80 per ticket.

(b) effective January 1, 1988 from $30.00 per month per pass and $.80 per ticket to regular adult fare." -

Recorded vote on Section 23.

YEAS: Aldermen Cooke, Agro, McCulloch, Valeriano, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 11.

NAYS: Mayor Morrow; Aldermen Kiss, Hinkley, Copps, Christopherson, Collins. - 6. CARRIED.

* *

t was moved by Alderman Wheeler and seconded by Alderman Smith.

ESOLVED: that Section 5, Subsection (3) of Procedural By-law 82-203 be suspended for this meeting of City Council.

EAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 16.

AYS: Alderman Collins. - 1. CARRIED.

* *

(H) LICENSING COMMITTEE - SECOND REPORT.

It was moved by Alderman Valeriano and seconded by Alderman Collins.

RESOLVED: that Section 2 be referred back. - CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that Alderman Gerry Copps be appointed Acting Mayor for the month of February, 1987. - CARRIED.

* *

It was moved by Alderman Collins and seconded by Alderman Wheeler.

RESOLVED: that the Mayor's request to be authorized to write The Premier of Ontario, The Honourable David Peterson, thanking him for his work in Washington on behalf of Ontario's economic interests, and specifically Hamilton's, be endorsed. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 17.

NAYS: 0 - CARRIED.

* *

NOTICES OF MOTION

It was moved by Alderman Agro and seconded by Alderman Copps.

RESOLVED: that the Executive Committee be abolished, and that the Finance Committee assume the duties and responsibilities presently held by the Executive Committee; that the Mayor be the Chairman of the Finance Committee and the present Chairman be the Vice-Chairman. -

YEAS: Aldermen Kiss, Agro, McCulloch, Valeriano, Copps. - 5.

NAYS: Mayor Morrow; Aldermen Cooke, Hinkley, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 12. LOST.

* *

Alderman Collins gave notice that she would move the following Notice of Motion at the next regular meeting of City Council.

RESOLVED: that the City of Hamilton Procedural By-law 82-203 be amended by deleting Subsection (3) of Section 5 which requires City Council to adjourn its meetings at 11:00 o'clock, p.m.

* *

Alderman Murray gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

RESOLVED: that the Personnel Committee and the Finance Committee be amalgamated.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of the Whole on the above reports as amended, and resolutions, be adopted. - CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a first time:

A-3
B-4, B-5
C-1
D-5, D-6, D-7, D-8, D-9, D-10, D-11, D-12, D-13
G-1, G-2 - CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Mayor Morrow in the chair.

A-3
B-4, B-5
C-1
D-5, D-6, D-7, D-8, D-9, D-10, D-11, D-12, D-13
G-1, G-2 - CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the Report of the Committee of the Whole (second reading) on the Bills be adopted. - CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a third time.

A-3
B-4, B-5
C-1
D-5, D-6, D-7, D-8, D-9, D-10, D-11, D-12, D-13
G-1, G-2 - CARRIED.

* *

Council adjourned at 11.03 o'clock p.m.

* *

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its SECOND Report for 1987 and respectfully recommends:

*1. That the following resolution which was adopted by Regional Council at its meeting on Tuesday, December 16, 1986 and referred to the City of Hamilton be approved;

> "That steps be taken to hire a new Director of Human Resources at the Salary Level "C" ($62 700. - $73 800.) position to be filled not later than June 30, 1987 and advertised on a contract basis".

2. Approval of Change Order Number 16 in favour of Pigott Construction Ltd. in the increased amount of $31 402. for the increase in Federal Sales Tax for the Trade Centre/Arena Project.

   NOTE: An allowance of $144 350 for the anticipated increased Sales Tax for this Project was approved by City Council at its meeting September 10, 1985.

   With approval of this Change Order the amount actually claimed to date by Pigott Construction Ltd. totals $73 609.

3. Approval of the sale of a vacant parcel of land having frontage along MacNab Street of 2.70 feet, by a depth of 87.07 feet/87.073 feet and containing 234.66 square feet, between York Boulevard and Vine Street to Anna Kostrich for the sum of $1.

   NOTE: In conjunction with the Cadillac Fairview/Eaton's Redevelopment Proposal and more particularly, the part of the proposal involving the construction of a parkade on the City owned lands on York Boulevard, it became necessary for the City to obtain a survey of lands upon which the parkade is to be built. This survey revealed that a small portion of the site, more particularly known as Part 11 on Plan RB-C-265 Surveys and containing 234.66 square feet, is encumbered by the foundation wall of the abutting Royal Tavern property owned by Mrs. Anna Kostrich.

   This property is surplus to municipal requirements.

*Recorded vote, see Page 87

4. Approval of the following with respect to the 1987 - 1991 Capital Budget:

   (a) That the debt charges shall not exceed 15% of the estimated adjusted municipal levy for this Capital Budget.

   (b) That the policy established in 1982, whereby any unexpended portion of the municipal contribution to a Local Board, be placed in a reserve for capital projects for that Board, be continued in 1987 and subsequent years to the extent that only adequate reserves are accumulated by the Board (as opposed to excessive reserves) and beyond this point such funds may be allocated to other areas requiring Local Board funding including any annual shortfall (amount required in excess of the municipal contribution).

   (c) That the employment impact of each project be given consideration.

   (d) That the six mill capital levy continue on the understanding that the expenditure program for the Reconstruction of Roadways, Abutting Sidewalks and other Sidewalks - Local Roads, be given first priority of the annual financing from this source. The balance of this six mill levy to be assigned to finance such other capital projects as directed by City Council.

   (e) That where the construction specifications of a capital project go beyond the normal requirements of the City of Hamilton as a result of financial involvement with outside groups such as institutions, private sector corporations, individuals, or other groups, that such outside contribution be in the form of a firm commitment before City Council is requested to confirm the gross cost of the project and the financial contribution of the City.

   (f) That the 1987 - 1991 Capital Budget Program be approved and submitted for consideration and approval by the Ontario Municipal Board, through the Regional Council.

NOTE: Previously forwarded to the Members of City Council, were copies of the 1987 - 1991 Capital Budget. Additional copies if required, are available from the Secretary, Executive Committee or the City Treasurer.

5. That leave be granted to introduce the following Bill:

   (a) Bill A-3 : A By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

*6. That a purchase order be issued to **Flooring Warehouse Ltd., Hamilton, Ontario** for approximately 600 square yards of carpeting at $21.62 per square yard plus 7% Provincial Sales Tax, for additions and alterations to City Hall, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

   NOTE: Lowest of five (5) acceptable tenders received. Funds provided in the General Contingency Allowance of the approved Falla Construction contract Account #0408 A55335.

Respectfully Submitted

MAYOR R. M. MORROW, CHAIRMAN
EXECUTIVE COMMITTEE

J. J. Schatz, Secretary
Executive Committee

1987 January 15
1987 January 22
/dg

*Section 6 added during Council

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Transport and Environment Committee presents its **SECOND** Report for 1987 and respectfully recommends:

1. That a purchase order be issued to Canadian Morbark Limited, North Bay in the amount of $23 980.84 including all applicable taxes, for the supply and delivery of One (1) Diesel Industrial Type Brush Tree Chipper for the Public Works Department, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

   NOTE: The lowest acceptable of Three (3) tenders received. Funds provided in Roadway Tree Trimming Account #0350-7375.

2. (a) That an amalgamation of the Streets Division with the Sanitation Division to form the Streets and Sanitation Division be approved.

   (b) That the position of Sanitation Superintendent be eliminated.

   (c) That the position of General Foreman (Sanitation) be established and filled as soon as possible.

   (d) That the Human Resources Centre immediately review the salary classifications for the Director of Streets and Sanitation, the Superintendent of Districts and Sanitation, and the Assistant Superintendent of Districts and Sanitation, with the view of increasing the remuneration in response to the additional level of responsibility for budget and staff required by these three positions, as a consequence of the amalgamation of the Streets Division with the Sanitation Division.

   THE EXECUTIVE COMMITTEE WISHES TO ADVISE CITY COUNCIL THAT IT CONCURS WITH THE RECOMMENDATION OF THE TRANSPORT AND ENVIRONMENT COMMITTEE WITH RESPECT TO THIS REORGANIZATION.

   FOR THE INFORMATION OF THE MEMBERS OF CITY COUNCIL THE BY-LAW ESTABLISHING THE DUTIES OF THE EXECUTIVE COMMITTEE PROVIDES FOR THE EXECUTIVE COMMITTEE TO REPORT AND/OR RECOMMEND TO CITY COUNCIL ON ALL MATTERS RELATING TO DEPARTMENTAL REORGANIZATIONS.

3. That the Corporation of the City of Hamilton commence expropriation procedures to acquire a parcel of land approximately 20.12 metres in width (66 feet) by a length of 49.18 metres (162 feet) from the land at the rear of 163 Centennial Parkway North for roadway and municipal purposes.

4. (a) That an Option to Purchase land from Stanlow Holdings Limited, duly executed on December 29, 1986 and scheduled for closing on or before March 23, 1987 be completed.

NOTE: The subject property is an irregular shaped parcel of land containing an area of 357m^2 (3 843 square feet) and is more particularly known as Part 1 on a plan prepared by A. J. Clarke and Associates dated September 12, 1986 for the purchase price of $2.00.

It is understood and agreed by the Purchaser and Vendor that the City is to convey the herein described lands to DiCenzo Construction Company Limited to form part of the western boundary of the road allowance and associated 0.305m (1') reserve in a plan of subdivision to be prepared by this latter company which is to be known as "Villa d'Este Gardens - Phase 2". DiCenzo Construction Company Limited shall register the said plan on or before March 23, 1988. In the event of default thereof, the herein described lands conveyed by the City to DiCenzo Construction Company Limited shall be reconveyed to the City, whereupon receipt of same, the City shall reconvey the said lands to the owner, Stanlow Holdings Limited.

(b) That an Offer to Purchase land from The Corporation of the City of Hamilton duly executed on January 8, 1987, by the Purchaser, DiCenzo Construction Company Limited, and scheduled for closing on or before March 23, 1987 be completed.

NOTE: The subject property is an irregular shaped parcel of land containing an area of 357m^2 (3 843 square feet) and is more particularly known as Part 1 on a plan prepared by A.J. Clarke and Associates dated September 12, 1986 for the purchase price of $251 and is to be credited to Account 0280-02. A cheque in the amount of $251 is being held by the City Treasurer pending approval of this transaction.

It is understood and agreed by the Purchaser and Vendor that the purchaser shall incorporate the herein described lands into a plan of subdivision to be known as "Villa d'Este Gardens - Phase 2" where they shall form part of the western boundary of the road allowance and associated 0.305m (1') reserve. The purchaser shall register the said plan on or before March 23, 1988. In the event of default thereof, the purchaser shall reconvey the said lands to the City of Hamilton at his sole cost at the same price as herein provided on or before June 23, 1988.

5. (a) That Item 4 of the 10th Report of the Transport and Environment Committee approved by Council on April 29, 1986 be rescinded.

(b) That the Corporation of the City of Hamilton enter into a monthly lease agreement with Bruce Malcolm Cranfield and Michelle Homann for a portion of the lands known as 80 Arkledun Avenue for private parking purposes only.

NOTE: The land to be leased has a frontage on Arkledun Avenue of 60 feet (more or less) by an irregular depth and contains an area of 600 square feet (more or less).

The rental is to be $10 per month plus annual taxes of $61 retroactive to October 1, 1985 and credited to account 0306-0513.

(c) That the City Solicitor be authorized to prepare the necessary lease agreement for execution.

6. (a) That the annual fee associated with the existing boulevard parking agreement with M & S Hoffman which permits parking on the boulevard of Acorn Street adjacent to Nos. 24 to 60 Sanford Avenue North be reduced from the present $1 404.13 to $850, in accordance with the fee structure approved by the City Council on 1986 March 25; and

(b) That the City Treasurer be directed to revise the billing records accordingly.

7. That the application by Efrosini and Fotios Fotiou to lease a portion of the boulevard of Park Row North adjacent to 1241 Main Street East be approved provided that:

(a) That the applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is $100 per year), plus taxes, if any, in addition to the $10 annual encroachment insurance charge approved by City Council on 1984 February 14.

(b) That the owner pays a one time $25 registration fee, as approved by the City Council on 1986 January 14.

(c) That the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.

(d) That the parking area and other structures, approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.

(e) That the owner executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

8. (a) That the existing "No Stopping, Wheelchair Loading Only" regulation on the south side of Bold Street in front of No. 267 Bold Street be removed; and

(b) That the City Traffic By-law 66-100 be amended accordingly.

9. (a) That in accordance with the recommendations of the Hamilton-Wentworth Regional Police Department;

i. a school traffic officer be assigned to the intersection of Grosvenor Avenue North and Dunsmure Road; and

ii. a school crossing sign be erected at this intersection; and

iii. the amount of $5 650 be added to the 1987 Budget estimates, to finance a school traffic officer at this location.

(b) That in accordance with the general Traffic By-law provision, a "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Dunsmure Road across a portion of the rear of Memorial Senior Public School property.

10. (a) That the following street be designated as 24 hour truck routes:

i. Upper Ottawa Street between Rymal Road and the southerly City Limits,

ii. Kilbride Road between Upper Ottawa Street and Nebo Road; and

(b) That the City Traffic By-law 66-100 be amended accordingly.

11. (a) That stopping be prohibited on the south side of Lynbrook Drive between Montcalm Drive and a point 50 feet westerly therefrom; and

(b) That the City Traffic By-law 66-100 be amended accordingly.

5. (a) That Item 4 of the 10th Report of the Transport and Environment Committee approved by Council on April 29, 1986 be rescinded.

(b) That the Corporation of the City of Hamilton enter into a monthly lease agreement with Bruce Malcolm Cranfield and Michelle Homann for a portion of the lands known as 80 Arkledun Avenue for private parking purposes only.

NOTE: The land to be leased has a frontage on Arkledun Avenue of 60 feet (more or less) by an irregular depth and contains an area of 600 square feet (more or less).

The rental is to be $10 per month plus annual taxes of $61 retroactive to October 1, 1985 and credited to account 0306-0513.

(c) That the City Solicitor be authorized to prepare the necessary lease agreement for execution.

6. (a) That the annual fee associated with the existing boulevard parking agreement with M & S Hoffman which permits parking on the boulevard of Acorn Street adjacent to Nos. 24 to 60 Sanford Avenue North be reduced from the present $1 404.13 to $850, in accordance with the fee structure approved by the City Council on 1986 March 25; and

(b) That the City Treasurer be directed to revise the billing records accordingly.

7. That the application by Efrosini and Fotios Fotiou to lease a portion of the boulevard of Park Row North adjacent to 1241 Main Street East be approved provided that:

(a) That the applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is $100 per year), plus taxes, if any, in addition to the $10 annual encroachment insurance charge approved by City Council on 1984 February 14.

(b) That the owner pays a one time $25 registration fee, as approved by the City Council on 1986 January 14.

(c) That the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.

(d) That the parking area and other structures, approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.

(e) That the owner executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

8. (a) That the existing "No Stopping, Wheelchair Loading Only" regulation on the south side of Bold Street in front of No. 267 Bold Street be removed; and

(b) That the City Traffic By-law 66-100 be amended accordingly.

9. (a) That in accordance with the recommendations of the Hamilton-Wentworth Regional Police Department;

i. a school traffic officer be assigned to the intersection of Grosvenor Avenue North and Dunsmure Road; and

ii. a school crossing sign be erected at this intersection; and

iii. the amount of $5 650 be added to the 1987 Budget estimates, to finance a school traffic officer at this location.

(b) That in accordance with the general Traffic By-law provision, a "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Dunsmure Road across a portion of the rear of Memorial Senior Public School property.

10. (a) That the following street be designated as 24 hour truck routes:

i. Upper Ottawa Street between Rymal Road and the southerly City Limits,

ii. Kilbride Road between Upper Ottawa Street and Nebo Road; and

(b) That the City Traffic By-law 66-100 be amended accordingly.

11. (a) That stopping be prohibited on the south side of Lynbrook Drive between Montcalm Drive and a point 50 feet westerly therefrom; and

(b) That the City Traffic By-law 66-100 be amended accordingly.

*12. That the submission of the Canadian National Railway respecting Train Speeds in Toronto be received as information.

NOTE: The above recommendation was lost on a tie vote and in accordance with Council's policy is being forwarded at this time for Council's consideration.

His Worship Mayor Robert M. Morrow is in receipt of a letter from the Canadian National Railway dated 1986 May 14, attached to which was a submission made by the railway company to the City Services Committee of the Toronto City Council respecting the speed of freight trains in Toronto. While it is not clear where the proposal originated, the proposal was "that the Railway Transport Committee of the Canadian Transport Commission be requested to order the speed of all trains using freight carrying lines in the City of Toronto to be reduced to 25 m.p.h. (40 km/h) ...". The Railway Transport Committee has deferred taking action on the proposal as this matter is presently under review by a Federal Task Force.

13. (a) That the existing "One Hour Parking Time Limit, 9:00 a.m. to 8:00 p.m., Monday to Saturday" regulation on the east side of East 19th Street between Concession Street and the northerly limit of Inverness Public School, be rescinded to allow unrestricted free parking; and

(b) That the City Traffic By-law 66-100 be amended accordingly.

14. (a) That the construction of the concrete alley first north of Main Street running from Carrick Avenue to Spadina Avenue as a local improvement on petition pursuant to Section 11 of The Local Improvement Act be approved.

2.75 m wide alley
first north of Main Street
running from Carrick Avenue
to Spadina Avenue
Project 801-72H

Total Estimated Cost	$19 000.00
Owner's Share	4 496.98
City's Share	14,503.02

(b) That the City Solicitor be directed to make application for approval under Section 64 of The Ontario Municipal Board Act.

(c) That the Commissioner of Engineering be authorized to construct this alley on behalf of the City of Hamilton once all the necessary approvals have been received.

*Section 12 tabled

(d) That the Executive Committee recommend the amount and source of funds to be provided for this Capital Project.

15. (a) That Item #15 of the 17th Report of the Transport and Environment Committee approved by Council on October 14, 1986, respecting an encroachment agreement for 8 George Street be rescinded; and

(b) That the authorization granted by City Council on March 26, 1986, in adopting Item 10 of the 5th Report of the Transport and Environment Committee respecting the encroachment agreement for 8 George Street reinstated.

16. (a) That Item 15(d) of the 21st Report of the Transport and Environment Committee approved by Council on December 9, 1986 respecting an encroachment agreement for 122 Gibson Avenue be rescinded; and

(b) That the application of the owner(s) of 122 Gibson Avenue, Patric Michael Murphy and Lillian Gladys Glanville to retain the following inadvertent encroachment, consisting of concrete steps, 0.39 m by 1.22 m be approved, during the pleasure of City Council, provided:

i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

ii. An annual fee of $35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

17. (a) That the City Solicitor be authorized and directed to prepare a By-law to incorporate Part 2, Plan 62R-7829 and Block 107 (0.50m reserve) Plan 62M-439 into Strawberry Drive.

(b) That the City Solicitor be authorized and directed to prepare a By-law to incorporate Parts 4, 5 and 6, Plan 62R-6380 (0.305m Reserve) into Greenhill Avenue.

18. (a) That the City of Hamilton accept a deed to lands shown as Part 4, Plan 62R-4317, from the Trustee in Bankruptcy for DeBentis Investments Ltd. for the sum of $1.

(b) That the City Solicitor be authorized and directed to prepare a by-law for consideration by City Council to incorporate the northerly 32.0' of Part 4, Plan 67R-4317 into the road allowance for a proposed street to be created by the registration of a plan of subdivision of the adjacent lands which will establish the balance of the proposed street as public highway.

19. WHEREAS the land on both sides of Guildwood Drive is either developed, under development, or in pubic ownership,

WHEREAS a short section of Guildwood Drive will never be included in a subdivision, but should be completed,

WHEREAS a new townhouse complex is scheduled for spring construction, it is recommended that on

(a) Guildwood Drive from approximately 43m south of Trevi Road to approximately 40m north of Novoco Drive be completed with the construction of roads, sidewalks, curbs, street lights and associated works.

(b) The Region be requested to arrange for the construction of the works.

(c) The Director of Real Estate be authorized to negotiate the purchase of the required lands from the Board of Education for the City of Hamilton and the Municipal Non-Profit (Hamilton) Housing Corporation.

(d) The City Solicitor be directed to take all necessary steps to establish the said street as a public highway after the lands have been acquired, including an application to the Region under Section 48(3) of the Regional Act.

(e) The City Treasurer be authorized to pay the Region, when billed by the Region upon the completion of the watermain, for 50% of the cost of the watermain along the City Park, estimated at $6 000.

(f) The estimated cost of construction, the purchase of lands and payments to the Region is $145 000 and is to be financed from the account for City services through Unsubdivided Lands - Account 0280-12. Financing is in accordance with standard City policies and is as follows:

TYPE OF WORK	AMOUNT TO BE FINANCED
Final Roads	$73 900
Catch Basins and Connections	4 900
Curbs and Sidewalks	29 700
Dead End Barricades	1 250
Sodding	6 750
Street Lighting	7 500
Watermain	6 000
Land	15 000
TOTAL	$145 000

(g) The City Treasurer be directed to recover City Costs from the Board of Education for the City of Hamilton and the Municipal Non-Profit (Hamilton) Housing Corporation in accordance with normal practice.

(h) The financing of the City's share be referred to the Executive Committee for the method of financing.

20. (a) That the submitted schedules for the estimated cost of services in "Berrisfield Gardens Addition" as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and

(b) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and

(c) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

NOTE: Clause 5(b) of the Twenty-Fourth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1986 November 11, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owners of these lands is 668539 Ontario Ltd.

21. (a) That the engineering schedules for the estimated cost of services in "Randall Estates - Phase 5" as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and

(b) That the City's share for the cost of services for this development ($6 904) be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12;

TYPE OF WORK	AMOUNT TO BE FINANCED
Final Roadways	$6 904
TOTAL	$6 904

(c) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and

(d) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

(e) The financing of the City's share be referred to the Executive Committee for the method of financing.

NOTE: Clause 3(a)(xii) of the Twenty-Second Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1985 July 30, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owners are Robert Shelley Construction Limited, Frank Husack Limited, DiCenzo Construction Company Limited and Canada Permanent Trust Company.

22. (a) That the revised schedules for the estimated cost of services in "Wisemount Forest Survey - Phase 3, Stage 1" as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and

(b) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and

(c) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

NOTE: Clause 4(b) of the Nineteenth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1983 September 27, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owner of the lands is S.Wise Construction Limited.

23. That the Chairman or his designate and the appropriate staff member be authorized to attend the Municipal Waste Management Conference to be held in the City of Toronto, April 1 and 2, 1987.

24. That leave be granted to introduce the following bills:

(a) B-4 By-law to Amend By-law 66-100 to Regulate Traffic

(b) B-5 By-law to Amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

John Thompson,
Acting, Secretary

1987 January 19

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **Second** Report for 1987 and respectfully recommends:

*1. (a) That the German World War I Howitzer located on the Dundurn Castle grounds be donated to the Liberty Memorial Museum, Kansas City, Missouri, the only museum in the U.S. devoted exclusively to World War I.

(b) That the City be saved harmless from any public liability or property damage resulting from removal or relocation of same.

(c) That the Liberty Memorial Museum accept all costs incurred for the removal and relocation of the gun.

(d) That the City Clerk be authorized to sign the Gift Receipt releasing the gun from the possession of the City.

(e) That the Veterans plaque remain with the cannon as an integral part of its' history.

NOTE: For the information of the members of City Council, the Parks and Recreation Committee at its meeting held 1986 November 4 directed that the Hamilton Historical Board investigate alternatives to its original recommendation to dismantal for scrap the German World War I Howitzer located on the Dundurn Castle grounds.

The Hamilton Historical Board investigated this matter and offers the following as background to the above recommendations:

(i) The gun at its present state is a safety hazard. It is rusty especially at the track and trails thus being hazardous to children who tend to climb on the gun. In addition it is supported on a cracked cement podium.

(ii) The Howitzer was acquired in 1920 by the City and placed in Dundurn Park. It has never been maintained and is not in the mandate of The Hamilton Military Museum.

(iii) The Property and Maintenance Department of the City of Hamilton have estimated $2 500 to remove the cannon intact and approximately $10 000 to save the barrel itself and put it in storage.

*Section 1 referred back

(iv) Those contacted for potential interest either were not interested or did not respond:
- Hamilton Industrial Training Centre (unable to repair, rebuild or reconstruct)
- Museum of Science and Technology (Ottawa)
- Canadian War Museum (Ottawa)
- Canadian Artillery Museum
- Military Academy, Wellandport
- requests made to museums attending the Organizations of Military Museums of Canada, August 1986.

2. (a) That an Offer to Purchase the vacant lot on Abbot Drive executed by Charles and Betty Okang on January 12, 1987 and scheduled for closing on March 30, 1987, be approved and completed.

(b) That the Regional Commissioner of Engineering be directed to take the necessary action to relocate the sewer servicing 72 Abbot Drive on an angle at the front of this lot and to locate a manhole on the road allowance. The cost of this work, estimated to be $5 000 is to be charged to account 0280-11 (5% Parks Dedication Fund).

(c) That the Director of Local Planning be authorized to amend the proposed neighbourhood plan for this parcel of land from park and recreational to single family residential for this parcel of land.

NOTE: For the information of the members of City Council, this property which is surplus to municipal requirements has a frontage along the westerly limit of Abbot Drive of 66 feet (20.123m) more or less by a depth of 111 feet/112.4 feet (33.833m/34.272m) more or less, subject to a 1.5m easement in favour of Lot 48, Plan M-397 (72 Abbot Drive) for sewer connection purposes. The purchase price of $41 000 is to be credited to account 0280-11. A certified deposit cheque in the amount of $4 100 is being held by the City Treasurer pending approval of this transaction.

It is understood and agreed that a soil test for an engineered fill foundation is required on this site to comply with Building Department regulations. The Purchaser hereby agrees to have this test completed at his expense, and he is responsible for any additional construction costs incurred to satisfy the Building Department's requirements as a result of this test, in order to construct a single family residential dwelling on this site.

3. Approval of the action of the Director of Culture and Recreation in authorizing the Gourley Park Community Council to include in their Winterfest Program activities, a horse and sleigh ride on the park site.

   NOTE: For the information of the members of City Council, it should be noted that Parks By-law 77-221 prohibits this use of a City park without City Council's approval.

4. (a) That, subject to the approval of the funding as provided in the 1987 Budget Estimates, a consulting firm be engaged at a cost not to exceed $15 000 to carry out a feasibility study relative to a major Aquatic & Sport Administration Centre and in accordance with the terms of reference (attached as Schedule A):

   (i) to determine the needs for such a facility in Hamilton
   (ii) to identify specific programming potential and space requirements for same
   (iii) to recommend site location(s)
   (iv) to identify Capital & Operating (including revenues) budget and operating strategies
   (v) to identify an implementation schedule and management plan

   (b) That the approval be further subject to the confirmation of a 50% grant for this study from the Ministry of Tourism & Recreation (Ontario).

5. (a) That item 6 of the Sixteenth Report of the Parks and Recreation Committee adopted by City Council at its meeting of 1986 June 24 and which was reconsidered on 1987 January 13, not be approved and further that the Hamilton Entertainment and Convention Facilities, Inc. be advised that City Council is not agreeable to the proposed Business Plan for the MacNab Arms Restaurant located in Dundurn Castle, and that City Council expresses its appreciation for the efforts undertaken at the request of Council.

   (b) That the City of Hamilton call for open proposals from the private sector to establish a medium priced menu restaurant facility at Dundurn Castle using any of the present on-site structures i.e., the present MacNab Arms location or the stable area.

   (c) The proponents to provide all details respecting payments, capital costs, length of lease, hours of service, etc.

6. For the information of the members of City Council, in order to provide continuity on the Hamilton Historical Board, the Parks and Recreation Committee has implemented a system of rotating the citizen members, effective 1987 January 1.

   NOTE: For further clarification:

   (a) the citizen members of the Board be appointed on rotating basis for a three (3) year term with one third of the members retiring each year.

   (b) no member will serve any longer than a maximum of 2 consecutive terms (6 years)

   (c) the Executive Committee of the Hamilton Historical Board be elected annually.

7. That leave be granted to introduce the following bill:

   Bill C-1 By-law to Amend Cemeteries By-law No. 8861 Respecting Revised Tariff of Charges.

*8. That approval be given in principle for the use of the Ivor Wynne Stadium on Sunday, 1987 May 31 between the hours of 2:00 o'clock p.m. and 8:00 o'clock p.m. for the purpose of staging a Country and Western Musical Concert, subject to specific approval by the City of Terms and Conditions including performers and show content.

Respectfully submitted,

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

L. Peddle, Acting Secretary
Parks and Recreation Committee
1987 January 20

*Section 8 added during Council

Referred to in Section 4 of the Second Report of the Parks and Recreation Committee

SCHEDULE "A"

THE SPECIAL AQUATICS FACILITY TASK FORCE

PREAMBLE

During the summer of 1986 a number of aquatic interest groups came together around the need for upgraded aquatic facilities in Hamilton. Simultaneously the Summer Games Committee realized aquatic events for all future provincial, national or internation games could not be staged in our city.

This widely represented group of the aquatic disciplines and the owners and users of aquatic facilities determined to seek approval from the Parks and Recreation Committee to persue improved facilities.

Mayor Robert Morrow presented a needs analysis to the Committee at its meeting of October 30/86 and received approval to develop the terms of reference for a consultant to present a FEASIBILITY STUDY ON AQUATICS.

1. FEASIBILITY STUDY

A feasibility study is an effective technique for

- -- gathering information
- -- understanding this information
- -- recommending a course of action
- -- making a decision

The background data report has been developed from the community users point of view, existing activities, facilities and patterns of use.

The feasibility study will develop the facility idea to

- -- determine the need for the facility and document this
- -- determine if all possible alternatives have been examined
- -- determine all financial aspects from capital to operating
- -- involve all groups to determine an agreement for a course of action

2. THE STUDY TEAM

The role of the study team -- the Aquatic Facilities Task Force is to:

- -- write the terms of reference for the feasibility study
- -- recommend funding for the feasibility study
- -- assist in the selection of the professional consultant
- -- check the study as it is being carried out
- -- review and evaluate the report when completed

SPECIAL AQUATICS FACILITY TASK FORCE

3. BACKGROUND INFORMATION

The background data report presents information related to:

1) present aquatic facilities in Hamilton
2) present aquatic users in Hamilton
3) present program scope in Hamilton aquatics
4) background need reports
5) population data and growth patterns
6) background data from the Master Plan
7) future user potentials
8) leisure facility trends
9) Committee members (name and contact number)

In addition to the above, a reference file on the study team and aquatic focus groups contact listing has been compiled for the consultant.

4: FEASIBILITY OBJECTIVES

The objectives of the feasibility study are to conduct an assessment of constructing and operating an indoor aquatic and sport administration complex in the City of Hamilton.

SPECIAL AQUATICS FACILITY TASK FORCE

5. AQUATIC AND SPORT ADMINISTRATION COMPLEX

TERMS OF REFERENCE

5.1 To assess the needs for an aquatic facility in Hamilton and the market requirements for local, regional, provincial and national use.

5.2 To identify specific program potential and user volumes.

5.3 To review alternative and other options to serve this need.

5.4 To develop the space requirements to serve aquatic training to include, but not to be limited to:

- -- competitive speed swimming
- -- water polo
- -- synchronized swimming
- -- diving
- -- leisure use
- -- lifeguard training
- -- administrative support
- -- offices/meeting facil-ties
- -- security features/doors access
- -- weight training area
- -- sports medicine clinic

5.5 To develop the criteria for site location dealing with:

- -- accessibility
- -- aesthetics
- -- utilities
- -- property development requirements
- -- surface ground water
- -- cost
- -- possibility of other facilities to be added at a later date, i.e. gym, squash, etc.

5.6 To identify the capital costs for the project including:

- -- construction costs
- -- consultant fees
- -- equipment cost
- -- furnishing cost
- -- contingencies
- -- combined leisure & competitive facilities vs. individual facilities (costs)

5.7 To review capital budget impact.

5.8 To review ways of capital funding, taking advantage of Federal and provincial grants, service clubs, individual and commercial support and joint development.

5. Terms of Reference (cont'd)

5.9 To recommend a management plan and to estimate operating cost and revenues for the first five (5) years of operation from the perspective of building and maintenance costs, user programs and staff costs.

5.10 To analyze revenue management over the first five (5) years from the perspective of:

-- facility rental
-- concession
-- admission fees
-- memberships
-- advertising
-- donations
-- joint use
-- sports medicine clinic
-- swimming lessons

These terms of reference might recommend additional factors such as economic/socio impacts on other aquatic facilities.

6. To analyze alternative strategies for the development of the complex.

7. To recommend an implimentation plan and timing schedule best suited for this project.

8. OUTLINE OF REQUIREMENTS FOR SUBMISSION OF PROPOSALS

8.1 Qualifications

-- company background and experience with this type of project
-- references
-- project management method
-- key personnel assigned to the project

8.2 Methodology

Outline the approach and process which will be followed to fulfill the objectives of the study; including public participation.

8.3 Schedule

The start date of the project will be with the final report submitted by or earlier. The consultant will be required to submit written progress reports at monthly intervals. A draft of the final report will be required. The work schedule developed by the consultant should indicate the reporting schedule and target completion date for major phases.

SPECIAL AQUATICS FACILITY TASK FORCE

8. Outline of Requirements for Submission of Proposals (cont'd)

8.4 Fees

Indicate fee structure with an upper limit including travel, printing and other expenses.

9. CLIENT LIAISON

Questions and inquiries will be directed to

10. SUBMISSION

The closing date for proposals is _____.
Proposals will be submitted to: _____.

11. INTERVIEWS

A short list of submissions will be prepared and interviews will be conducted with selected consultants.

12. REPORTS

Six (6) copies of interim reports and drafts, and twenty-seven (27) copies of the final report will be required.

lb

P5-6-4-8
WP DOC. 2976P

AQUATIC CENTRE/LEISURE CENTRE

PROCESS

START: Idea

Aquatic Centre Steering Committee	1. Report on terms of reference and funding	6. Proposal call and selection of consultant	9. Recommendations from feasibility study
	↓	↓	↓
Parks and Recreation Committee	2. Recommendation	7. Recommendation	10. Recommendation
	↓	↓	↓
Finance or Executive Committee	3. Recommendation on funding		11. Budgetting for construction
	↓		↓
City Council	4. Approval	8. Approval	12. Approval
	↓		↓
Ministry of Tourism and Recreation	5. Application for grant for study		13. Application for grant for construction

FINISH: Construction

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **SECOND** Report for 1987 and respectfully recommends:

1. That approval be given to Zoning Application 86-75, Michael Weinberg Properties Ltd. and Intervivos Investments Limited, owners, for a modification to the "HI" (Civic Centre Protected) District to permit the development of an 18-storey mixed commercial/residential development consisting of:

   (a) ground floor commercial uses having a gross floor area of 1,800 m^2 (19,375.5 sq. ft.)

   (b) 240 condominium apartments with a total of 29,306 m^2 (315,457.4 sq.ft.) of gross floor area;

   for the property located at the northwest corner of Main Street West and Caroline Street South, municipally known as 174 Main Street West, as shown on the attached plan marked **APPENDIX "A"**, on the following basis:

   i) That the "HI" (Civic Centre Protected) District provisions as contained in Section 15A of Zoning By-law 6593 applicable to the subject lands be modified to incorporate the following variances:

      a) That notwithstanding Section 15A(ia), Class A dwelling units shall be permitted;

      b) That notwithstanding Section 15A(2)(ii), a minimum side yard of 0.3 m (1 ft.) shall be required for the parking levels;

      c) That notwithstanding Section 15A(1)(ix), (xii) and (xv), commercial uses may front on and have access to a street;

      d) That notwithstanding Section 15A(3) a minimum front yard of 3 m (9.84 ft.) shall be provided at ground floor grade level along Main Street West;

      e) That notwithstanding Section 18A(1)(c), only one loading space having a minimum size of 9.0 m x 3.7 m x 4.3 m shall be required;

      f) That notwithstanding Section 18A(32) and (33), off-site manoeuvering shall be permitted on Caroline Street South;

g) That a minimum landscaped area of 750 m^2 (8073.2 sq. ft.) shall be provided at grade and/or above the parking level;

h) That the amending by-law be added to Section 19B of Zoning By-law 6593 as Schedule S-1003, and that the subject lands on Zoning District Map W4 be noted S-1003;

i) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law 6593 and Zoning District Map W-4; and,

j) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to modify the "HI" (Civic Centre protected) District for property located at the northwest corner of Main Street West and Caroline Street South for the property located at 174 Main Street West as shown on the attached map marked as **APPENDIX "A".**

The effect of the By-law is to permit an 18-storey mixed commercial/residential development consisting of ground floor commercial uses totalling 1,800 m^2 (19,375.6 sq. ft.) and 240 condominium apartment dwelling units.

In addition, the By-law provides for the following variances as a special requirement:

i) to permit Class "A" dwelling units on the property whereas dwelling units are only permitted in conjunction with a hotel;

ii) to permit a minimum side yard of 0.3 m (1 ft.) whereas 3.0 m is required;

iii) to require a minimum front yard of 3 m (9.84 ft.) at the ground floor along Main Street West whereas no front yard is required.

iv) to permit commercial uses to have individual accesses to a street whereas access is only allowed from within a building;

v) to exempt one of the residential loading spaces having a size of 18 m x 3.7 m x 4.3 m from being provided whereas two loading spaces are required having a size of 18 m x 3.7 m x 4.3 m and 9 m . 3.7 m x 4.3 m respectively;

vi) to allow manoeuvering on Caroline Street South whereas no off-site manoeuvering is permitted;

vii) to require a minimum landscaped area of 750 m^2 (8.073.2 sq. ft.) whereas no landscaping is required.

2. That approval be given to Zoning Application ZA-86-95 and ZA-86-96, Paul Szakacsi, Sr., owner, for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "DE-3" (Multiple Dwellings) District, for properties located at No. 50 Isabel Avenue and No. 169 Queenston Road, and No 51 Isabel Avenue and No. 181 Queenston Road, as shown on the attached map marked as **APPENDIX "B"**, on the following basis:

   i) That the lands shown as Blocks "1" and "2" be rezoned from "H" (Community Shopping and Commercial, etc.) District to "DE-3" (Multiple Dwellings) District;

   ii) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593 applicable to the lands shown as Blocks "1" and "2" be modified to include the following variances as special requirements:

      a) Notwithstanding Section 10C(3)(ii)(b) of By-law No. 6593, a minimum side yard of 2.50 m shall be required;

      b) That notwithstanding Section 10C(5) of By-law No. 6593, a maximum gross floor area of 1,450.0 m^2 shall be permitted;

   iii) That notwithstanding Section 18A, Table 1, Subsection 1, Residential uses, clause (g) Multiple Dwelling, a minimum of 22 parking spaces shall be required on each block;

   iv) That the provisions of Section 18A(1)(C) of By-law No. 6593 shall not apply;

   v) That notwithstanding Section 18A(11)(a) of By-law No. 6593, the minimum distance between the parking area and the adjoining residential district boundary shall be 1.0 metres;

   vi) That the provisions of Section 18A(11)(b) of By-law No. 6593 shall not apply;

   vii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1004, and that the subject lands on Zoning District map E-75 be notated S-1004;

   viii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-75;

   ix) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;

x) That the Normanhurst Neighbourhood Plan be amended by redesignating the lands shown as Blocks "1" and "2" from "Commercial" to a "Medium Density Apartment" designation.

EXPLANATORY NOTE;

The purpose of the By-law is to provide for a change in zoning from "H" (Community Shopping and Commercial, etc.) District for properties located at No. 50 Isabel Avenue and No. 169 Queenston Road and No. 51 Isabel Avenue and No. 181 Queenston Road, as shown on the attached map marked as **APPENDIX "B".**

The effect of the By-law is to establish the appropriate zoning for the apartment development.

In addition, the By-law provides for the following variances as special requirements:

a) to permit a minimum side yard of 2.50 m as opposed to a required minimum of 4.5 0 m; (Section 10C(3)(ii)(b);

b) to permit a maximum gross floor area of 1,450.0 m^2 as opposed to the permitted maximum gross floor area of 1,070,2 m^2 for Block 1, and 1,110.88 m^2 for Block 2 (Section 10C(5);

c) to permit a minimum of 22 parking spaces as opposed to the required minimum of 23 parking spaces; (Section 18A, Table 1, Subsection 1(g);

d) to delete the requirement of one loading spaces 9.0 m x 3.7 m 4.3 m; (Section 18A(1)(c);

e) to permit the parking area to be located within a minimum of 1.0 m from the boundary of the adjoining residential district as opposed to the required minimum of 1.5 m; (Section 18A(11)(a);

f) to delete the requirement that the parking area be set back from the street line a minimum depth of 6.0 m for that portion of the parking area within 3.0 m of a residential district; (Section 18A(11)(b).

3. That approval be given to Zoning Application 86-100, Frisina Construction Co. Ltd., prospective owner, for a modification to the "HI" (Civic Centre Protected) District modified to permit a residential development at the north-east corner of Jackson Street West and Caroline Street South, as shown on the attached map marked as **APPENDIX "C"**, on the following basis:

i) That notwithstanding Section 15A(ia) Class A dwelling units shall be permitted in the entire bulding.

1) That the Amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S0575a, and that the subject land or Zoning District Map W4 and W5 be notated S-575a;

2) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law 6593 and Zoning District Maps W4 and W5; and,

3) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

4) That the Durand Neighbourhood Plan be amended by redesignating the subject property from "Commercial" to "High Density Apartment."

EXPLANATORY NOTE:

The purpose of the By-law is to provide for a further modification to "HI" (Civic Centre Protected) District for property located at the north-east corner of Jackson Street West and Caroline Street South, as shown on the attached plan marked as **APPENDIX "C".**

The effect of the By-law is to permit a residential develoment on the subject property.

4. That approval be given to Zoning Application 86-101, Cameron-Johnstone Ltd., owner, requesting a change in zoning from "J" (Light and Limited Heavy Industry) District to "CR-3" (Commercial-Residential) District to permit the development of a commercial-residential complex having a maximum of 24 stories on the lands located at No. 80 John Street North, as shown on the attached map marked as **APPENDIX "D"**, on the following basis:

1) That the subject lands be rezoned from "H" (Light and Limited Heavy Industry) District to "CR-3" (Commercial-Residential) District;

2) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-4;

3) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;

4) That the Beasley Neighbourhood Plan be amended by redesignating the subject lands from "Commercial" to "Commercial and Apartments".

EXPLANATORY NOTE:

The purpose of the By-law is to provide for a change in zoning from "J" (Light and Heavy Industry) District to "CR-3" (Commercial-Residential) District, for the property located at No. 80 John Street North, as shown on the attached map marked as **APPENDIX "D".**

The effect of the By-law is to permit the development of the subject lands for a commercial-residential complex having a maximum of 24 stories.

5. That approval be given to Zoning Application 86-102, Desanka Filipovic, owner, requesting a modification to the established "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District, to permit a hairdressing business as a "Home Occupation" use within a portion of a dwelling located at No. 135 Britannia Avenue, as shown on the attached plan marked as **APPENDIX "E"**, on the following basis:

1) That the "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District regulations as contained in Section 10 of By-law No. 6593, applicable to the subject property, be modified to include the following as special requirements:

a) That notwithstanding the provisions of Section 2.(2)(H).(iii)(f) and (h) of By-law No. 6593, hairdressing shall be permitted as a home occupation:

i) carried on by not more than one hairdresser having a principal and permanent place of residence on the premises; and,

ii) providing for not more than one comb-out centre and one hair styling sink.

2) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1005, and that the subject lands on Zoning District Maps E-53 and 54 be notated S-1005;

3) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-53 and E-54; and

4) That the proposed change is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for a modification to the established "D" (Urban Protected Residential - One and Two Family Dwellings, etc) District regulations applicable to property located at No. 135 Britannia Avenue, as shown on the attached map marked as **APPENDIX "E"**.

The effect of the By-law is to permit a hairdressing business, operated as a home occupation for one hairdresser only. In addition, the By-law limits the hairdressing business to one comb-out centre and one hair styling sink.

*6. That approval be given to City Initiative 86-T, requesting a further modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations to permit the construction of a building having 287.99 m^2 (3,100 sq. ft.) of commercial on the ground floor and 22

*Recorded vote, see Page 88

apartment units on the two stories above for the property located on the north side of York Boulevard between Magill and Crooks Streets, as shown on the attached map marked as **APPENDIX "F"**, on the following basis:

i) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:

a) That notwithstanding Section 11.(1) the following additional commercial uses shall be permitted:

1) business and Professional persons' office
2) bank
3) photographer or artist studio
4) tailor shop, dressmaker establishment, wearing apparel shop
5) shoe repair and other personal service shops
6) restaurant
7) drug store

b) That the conditions as set out in subclauses (a), (b), and (c) of Section 11(1)(xi) shall not apply.

c) That Section 11.(3)(iii)(b) shall not apply.

d) That notwithstanding Section 11.(5) the floor area ratio factor shall not exceed 1.8.

e) That notwithstanding Section 11.(6) not less than 15% of the area of the lot shall be provides as a landscaped area.

f) That notwithstanding Section 11 a 1.5 m (5 ft.) planting strip and visual barrier of not less than 1.2 m and not more than 2.0 m in height shall be provided along any lot line that abuts a residential district.

g) That notwithstanding Section 11, the following sign requirements shall apply:

1) That no wall or window sign shall be erected, altered, extended or enlarged except if,

(a) the sign is attached to a building, and

(b) the sign, which refers to the occupancy or use of an individual establishment, must be located outside and in front of the particular establishment, and

(c) the total aggregate area of the sign is not more than 0.5 m^2 (5.38 sq. ft.) for every 0.5 m^2 (1.64 ft.) of frontage on the street of the particular individual establishment, and

(d) the sign is illuminated by a non-flashing indirect lighting, and

(e) the sign is not greater than 2.0 m (6.56 ft.) in height, and

(f) the sign does not project more than 1.0 m (3.28 ft.) above the top of the first storey of the building to which it is attached.

ii) That Section 18A(9) shall not apply

iii) That Zoning By-law No. 6593 as amended by By-laws 76-233 and 77-46 applicable to the subject lands be further amended on the following basis:

a) That Section 6(5) shall not apply.

iv) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-481c and that the subject land as Zoning District Map W-11 be notated as S-481c.

v) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-11.

vi) That the proposed change in zoning is in conformity with the City of Hamilton Official Plan.

vii) That the subject lands in the Strathcona Neighbourhood Plan be changed from "Medium Density Apartments" to "Commercial and Apartments".

EXPLANATORY NOTE:

The purpose of this By-law is to provide for a further modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District for the property located on the north side of York Boulevard between Magill and Crooks Streets as shown on the attached map marked as **APPENDIX "F"**.

The effect of the By-law is to permit the development of the subject lands for a building containing 287.99 m^2 (3,100 sq. ft.) of commercial space on the ground floor and 22 apartment units on the two stories above.

In addition, the By-law provides for the following variances:

a) to permit additional commercial uses;

b) to permit commercial uses to be accessible from the exterior of the building, to be located in a multiple dwelling with less than 100 units and to delete the sign requirement permitting signs to be visible from the interior of the building only, whereas the by-law requires that all commercial uses in apartments with 100 units or more provide an interior access only with no signs visible from the exterior.

c) to permit a rear yard 2.4 m (8 ft.) instead of the required 5 m (16.4 ft.);

d) to permit a floor area ratio of 1.8 instead of the required 1.7;

e) to permit a minimum of 15% of lot area to be landscaped instead of the required 25%;

f) to require a 1.5 m (5 ft.) planting strip and visual barrier of not less than 1.2 m and not greater than 2.0 m in height where the property abuts a residential zone; whereas the By-law does not require a visual barrier to be provided;

g) to permit signs to be erected on the exterior of the building provided certain restrictions are met. The By-law does not contain any sign requirements for some commercial uses.

h) to permit the manoeuvering area for the loading space to be located off-site where as the By-law requires it to be on site.

i) to exempt the third story from the setback requirement of the York Boulevard Urban Design Guidelines, whereas the By-law requires any portion of the building over 9.1 m (30 ft.) to be set back between 5.79 m (19 ft.) and 6.4 m (21 ft.) from the front lot line.

7. a) That Zoning Application 86-98 Stefanovic Restaurant Ltd., owner, and requesting a change in zoning from "D" (Urban Protected Residential, One and Two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District to permit the construction of an addition to the existing restaurant, for property located at No. 67 Balmoral Avenue South, described as Block 1 on the attached map marked as **APPENDIX "G"** be denied for the following reason:

The proposal represents a further southerly expansion of the commercial area into the established residential area.

b) That Amended Zoning Application 86-98, Stefanovic Restaurant Ltd., owner, for a modification to the established "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District regulations, and the established "H" (Community Shopping and Commercial, etc.) District regulations, for property located at No. 67 Balmoral Avenue South and No. 1360 King Street East, as shown on the attached map marked as **APPENDIX "G"**, be denied for the following reason:

The proposal represents a further southerly expansion of the commercial area into the established residential area.

8. a) That approval be given to Application SA-86-25, DiCenzo Construction Company Limited, owner, to establish a draft plan of subdivision in the area south of Stone Church Road and east of Upper Gage Avenue, subject to the following conditions:

1. That this approval apply to the plan prepared by A. J. Clarke and Associates dated October 9, 1986, showing 8 lots.

2. That "Templemead Drive" be established to its full required width and be dedicated as public highway on the final plan.

3. That the plan not receive final approval prior to the registration of draft approved subdivision "Stonegate Manor-Phase 2", Regional File No. 25T-86013, or until such time as municipal services are available across the lands to the east.

4. That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

5. That the final plan conform with the zoning by-law approved under The Planning Act.

6. That the owner make a cash payment-in-lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.

7. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.

8. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.

9. That the dead-end of the road allowance created by the plan be terminated in a 0.3 reserve to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowance.

10. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-86-25), DiCenzo Construction Company Limited, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

9. That the following fee structure be established be increased for the processing of City Applications administered by the Planning and Development Department:

   (a) That the existing $120., fee for Zoning Applications be increased to $200., for 1987 and $250., for 1988.

   (b) That the existing $113., fee for an Official Plan Amendment be increased to $200., for 1987 and $250., for 1988.

   (c) That a new fee of $350., be established in 1987 for applications where both a rezoning and Official Plan Amendment are necessary and that it be increased to $400., in 1988.

   (d) That the existing $57., fee for new site plan applications be increased to $100., for 1987 and $125., for 1988.

   (e) That the existing $27., fee for an amendment to an approved site plan be increased to $50., for 1987 and $65., for 1988.

   (f) That the above application fees be reviewed again in 1988 for possible adjustments in the 1989/90 rates.

   (g) That the City Solicitor be directed to prepare a by-law to adopt the above fees, effective January 1, 1987 and 1988.

10. That Item 7 of the Twenty-Sixth Report of the Planning and Development Committee in respect of Zoning Application 86-86, adopted by City Council, 1986 December 9, be rescinded.

EXPLANATORY NOTE:

In adopting Item 7 of the Twenty-Sixth Report of the Planning and Development Committee, City Council approved Zoning Application 86-86, J. Kozel, owner, for a change in zoning for part of the lands known as 613 Stone Church Road East to permit development of the lands marked as Blocks "1" and "2" for single-family dwellings in accordance with a draft plan of subdivision, and to delete reference to the density of development for the adjoining "RT-10" zoned parcel of land (Block 3)

The applicant has advised the City through his agent that he now wishes to withdraw his zoning application.

11. That the Building Commissioner be authorized to issue demolition permits for the demolition of residential buildings as outlined below:

    1. 120 Pottruff Road South

    2. 1983 Main Street West

    3. 1989 Main Street West

    4. 770 Upper Wentworth

       NOTE: Demolition of this property is subject to the approval by the Parks and Recreation Committee

    5. 402 Birch Avenue

*12. (a) That approval be given to the "Intent to Designate" the property at 2774 King Street East as a structure of historical and architectural value pursuant to the provisions of the Ontario Heritage Act, 1983.

    (b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

    (c) That the application for the demolition of the property at 2774 King Street East be DENIED.

    EXPLANATORY NOTE:

    At its meeting held 1987 January 14, the Planning and Development Committee reviewed the report of the Local Architectural Conservation Advisory Committee for the proposed designation of this property. Following consideration, the above recommendations of LACAC were LOST on a tie vote and in accordance with Council's policy are being forwarded at this time for Council's consideration.

13. (a) That the Crown Point West Neighbourhood, and a portion of the Stipeley Neighbourhood, attached hereto as **APPENDIX "H"**, be approved as the 1987-1990 area of implementation for the Provincial PRIDE Programme, at a total estimated gross cost of three million dollars, fifty percent Municipal and fifty percent Provincial.

    (b) That the area referred to in (i) above be designated as a Community Improvement Project Area (Planning Act R.S.O. 1980);

    (c) That the City Solicitor be authorized and directed to prepare the requisite by-law for the Community Improvement Project Area (as referred in (1) above);

*Recorded vote, see Page 89

(d) That, the Director of Community Development be hereby authorized and directed to make application to The Minister of Municipal Affairs, pursuant to the provisions of the new Programme for Renewal, Improvement, Development and Economic Revitalization (PRIDE), for financial assistance, in the form of a grant, to aid in financing the cost of the Community Improvement Project Area to which reference is made in (a) above;

(e) That, the Department of Community Development be authorized to prepare a Community Improvement Plan for the area referenced in (a) above.

EXPLANATORY NOTE:

The Province has recently announced modification to their funding programmes (Commercial Area Improvement Programme and Ontario Neighbourhood Improvement Programme) which entails the pooling of previously separate needs under one umbrella programme title PRIDE. Commercial, neighbourhood as well as industrial concerns can be addressed. Since municipal contribution for the Crown Point West Neighbourhood is estimated in the Department of Community Development's Capital Budget submission at five hundred thousand dollars and the Industrial Revitalization Programme is estimated at one million dollars, matching funds from the Province, Ministry of Municipal Affairs would equal one million five hundred thousand dollars. This request for municipal contribution is contingent upon the dollar value of the Provincial allocation.

14. (a) That, in accordance with Schedule "A", attached hereto as **APPENDIX "I"**, the 1987 operating budget of International Village Business Improvement Area (B.I.A.) be approved in the amount of seventy thousand and three hundred dollars;

(b) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, The Municipal Act, R.S.O., 1980, to levy the 1987 Budget as referenced in (i), above; and,

(c) That, in accordance with Schedule "B" attached hereto as **APPENDIX "J"** the Schedule of Payments - 1987, be approved.

15. That the Mayor and City Clerk be authorized to enter into the Operating Agreement, attached hereto as **APPENDIX "K (i)"**, with Canada Mortgage and Housing Corporation concerning the delivery of the Residential Rehabilitation Assistance Programme (R.R.A.P.) in the City of Hamilton.

EXPLANATORY NOTE:

Attached hereto as **APPENDIX "K(ii)"** is a copy of the Report of the Director of Community Development dated, 1987 January 7 which contains the background information on the new operating Agreement for the delivery of the Residential Rehabilitation Assistance Programme.

16. That the Department of Community Development be authorized to process grants and/or loans in an amount not to exceed $7 500. the actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under the Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P) and pursuant to By-law No. 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.)

That the Officials of the Corporation involved in these Programmes be authorized to take all action that is necessary to process the following loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and Hamilton Rehabilitation Programme.

Ontario Home Renewal Programme

1. C. Tofini
111 Graham Avenue South

2. M. Loncarevic
145 Cameron Avenue North

3. L. Ranalletta
675 Wilson Street

4. D. Price
91 Argyle Avenue

5. E. Young
27 Fairview Avenue

6. R. Arsenault
91 East 21st Street

7. J. Hickey
91 Shadyside Avenue

8. C. Potts
1283 Cannon East

9. D. Glenney
1709 King Street East

10. T. Fitzpatrick
198 Crockett Street

11. V. Blankus
47 Arthur Avenue North

12. V. Pasternak
31 Cluny Avenue

13. M. Livingstone
635 Upper Paradise Road

14. S. Tertula
93 Wexford Avenue North

15. S. Toepfer
570 Upper Sherman Avenue

16. F. Bryce
137 Julian Avenue

Hamilton Rehabilitation Programme

1. C. Arguin
41 Glennie Avenue

2. T. Sicurella
30 Linwood Avenue

17. (a) That Ontario Auto Collision Limited be granted an extension of the closing date for the purchase of Lot 2, Plan M-352 of land located on the south side of Rymal Road East to June 18, 1987.

(b) That the construction commencement date be amended to December 18, 1987.

(c) Provided that time remains of the essence and all terms and conditions remain in full force and affect.

18. That an Offer to Purchase the property at 484 James Street North, executed by Ron Cupido on behalf of Forest James Investments Limited on December 4, 1986 and scheduled for closing on or before April 10, 1987 be approved and completed.

Note: Subject property measures 73 ft.more or less along the easterly limit of James Street North, by a depth of 155 ft. more or less and is shown as Part I on Plan NS-2368 Surveys attached hereto. The purchase price of $56 000., is to be credited to Account No. 0280-02. A certified deposit cheque in the amount of $5 000., is being held by the City Treasurer pending approval of this transaction.

It is understood and agreed that:

1. The Corporation of the City of Hamilton accepts the above Offer and subject to the transaction being closed and completed, agrees to pay a commission of 5% of the sale price to Cupido Realty and Insurance Ltd., whose agent, Bruno Salvatori, acted in this transaction.

2. This Offer is conditional upon the Purchaser satisfying himself that he can, at his own expense, obtain a permit to erect an 11 unit apartment building of this site, each unit containing no more than 900 square feet, on or before April 1 1987. Otherwise, this Officer shall be null and void and the Purchaser's deposit shall be returned to him in full without interest and penalty.

3. The City hereby authorizes the Purchaser, as agent for the City of Hamilton to apply for the necessary Building Permit and Site Plan approval.

19. That an Offer to Purchase the lands of The Corporation of the City of Hamilton duly executed on January 8, 1987, by the Purchasers, David H. Blanchard and Gary D. Stapleton and scheduled for closing on March 9, 1987, be approved and completed.

Note: The completion of this Offer to Purchase in conditional upon the following terms being met:

1. The Purchaser obtaining a tenant or tenants for the proposed building.

2. The Purchaser's at their own expense obtaining soil tests to determine the load bearing capabilities of the subject lands for the construction of the Purchaser's proposed building.

3. The Purchasers have until January 30, 1987 to satisfy themselves to Conditions 1 and 2; in the event the above conditions cannot be resolved by this date, the Vendor agrees to grant a further extension of 30 days if required and requested in writing by the Purchasers.

   If the extension of 30 days is granted by the Vendor, then the closing date will also be extended by 30 days, provided that time remains of the essence and all terms and conditions remain in full force and affect, subject to Clause 7.

   These conditions contained in paragraphs 1 and 2 are for the benefit of the Purchasers and may be waived at their option, failing which this Offer to Purchase shall become null and void and the Purchaser's deposit returned in full without interest or penalty.

   The Purchase Price is $80 500. A deposit cheque in the amount of $8,000., is being held by the City Treasurer pending Council approval.

   The property is composed of a parcel of land located on the southern limit of Keefer Court having a frontage of 87.654 metres by a depth of 74.303 m/59.496 m and containing an area of 4,527 m^2 and more particularly described as Part II, Plan 62R-6188 (26 Keefer Court).

   This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto, as **Appendix "L".**

20. That an Offer to Purchase the lands of The Corporation of the City of Hamilton duly executed on January 9, 1987, by the Purchaser, Cayuga Materials & Construction Co., Limited and scheduled for closing on March 3, 1987, be approved and completed.

Note: This Offer to Purchase is conditional upon the following terms and conditions:

It is understood and agreed by the Vendor that the subject lands have services directly in front of the subject lands however, the Purchaser acknowledges and agrees that there is no laterial connections of the sewer and water lines to the property line of the subject lands. The Purchaser acknowledges that it is responsible at its sole cost to provide these sewer and water connections.

It is understood and agreed by Vendor, that the Purchaser is requesting that the completion of this agreement is subject to the Purchaser receiving from the Vendor a zoning verification certificate stating that the subject lands can be developed for a Hot-Mix Asphalt Plant and warehouse for

retail outlet for bricks, blocks and other associated supplies. The Purchaser by its execution of this agreement does hereby acknowledge receipt of the aforementioned zoning verification which is attached hereto.

Whereas the City is the owner of the lands and premises described as that portion of Lot 11, Plan M-352, not being conveyed by this purchase agreement, the City hereby agrees to grant the Purchaser an irrevocable first right of refusal to purchase the balance of Lot 11. In the event that the City receives a bona fide Offer to Purchase such lands, it will, within three business days of receiving such Offer, provide a copy thereof to the Purchaser. Thereafter, the Purchaser shall advise the City within three business days, whether or not it intends to exercise its first right of refusal with respect to such lands upon substantially the same terms as the terms of the said Offer. In the event that the Purchaser elects not to exercise its first right of refusal to purchase the said lands, the City shall then be committed to sell such lands to the offer in the subject Offer.

The Purchase Price is $100,000. A deposit cheque in the amount of $10 000., is being held by the City Treasurer pending Council approval.

The property is composed of a parcel of land located on the western limit of Upper Ottawa Street having a frontage of 53.83 m more or less by a depth of 187.940 m more or less and containing an area of 10,117 m^2 more or less and more particularly described as part of Lot 11, Plan M-352.

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto, as **Appendix "M"**.

21. That approval be given for the payment of the interim account of Weir & Foulds for March 31, 1986 to November 13, 1986 in the amount of $7 159.36 be paid.

EXPLANATORY NOTE:

This firm was retained in accordance with the instructions of Council on September 20, 1986, Section 19, 20th Report of the Committee in respect of Edward Allen v. the City of Hamilton - Judicial Review of By-law 84-35 - City Appeal to Ontario Court of Appeal.

22. The Corporation of the City of Hamilton accept the sum of $6 202., as cash payment in lieu of 5% parkland dedication in connection with "Greenhill Gardens - Phase 2", as provided for under Section 50 of the Planning Act (1983).

23. That approval be given to modify the existing policy on grading in residential subdivisions as follows:

(a) Developer be required to pregrade the land within 1m below or 0.2m above finished grades before demanding building permits.

(b) The restrictions in 1 shall not apply to model houses, multiple housing blocks, commercial lands, topsoil stock piles, or subdivisions registered between January 1 and March 31.

(c) A letter certifying this be submitted by developer to the City Building Department.

(d) As part of or prior to the building permit application, the applicant submit a detailed grading plan for each lot. The detailed plan must be in keeping with the general plan. Alternatively, the developer may show sufficient detail on the general plan and submit a letter with his application stating so.

(e) The overall grading plan shall be completed within 6 months of the finished roads in accordance with the present policy, but in a group of houses which have been occupied for more than 4 months, the City upon 4 weeks of notice may demand earlier completion of the grading. In cases where the above falls into winter, the work shall be completed by May 30 following.

(f) The above policy to apply to all single and 2 family housing lots. The larger blocks will be dealt with through site plan control provisions. The policy to apply to all plans approved by the Transport and Environment Committee after the adoption of this policy.

EXPLANATORY NOTE;

For the information of the Members of City Council, the Planning and Development met with representatives of the Hamilton and District Home Builders Association at its last regular meeting held 1987 January 14 to discuss revisions to the existing policy on grading in residential subdivisions. The Hamilton and District Home Builders Association support implementation of the above recommendations.

24. That leave be granted to introduce the following Bills:

D-5 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 200 Chester Avenue (James MacDonald School).

D-6 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1160 Rymal Road East.

D-7 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1368 Upper Gage Avenue.

D-8 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 648 Upper Paradise Road.

D-9 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 522 James Street North.

D-10 By-law to Authorize Inspection and Fees Under the Rental Housing Protection Act, 1986.

D-11 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal Nos. 126 MacNab Street South and 40 and 42 Bold Street.

D-12 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at the North-East Corner of Rymal Road East and Upper Sherman Avenue.

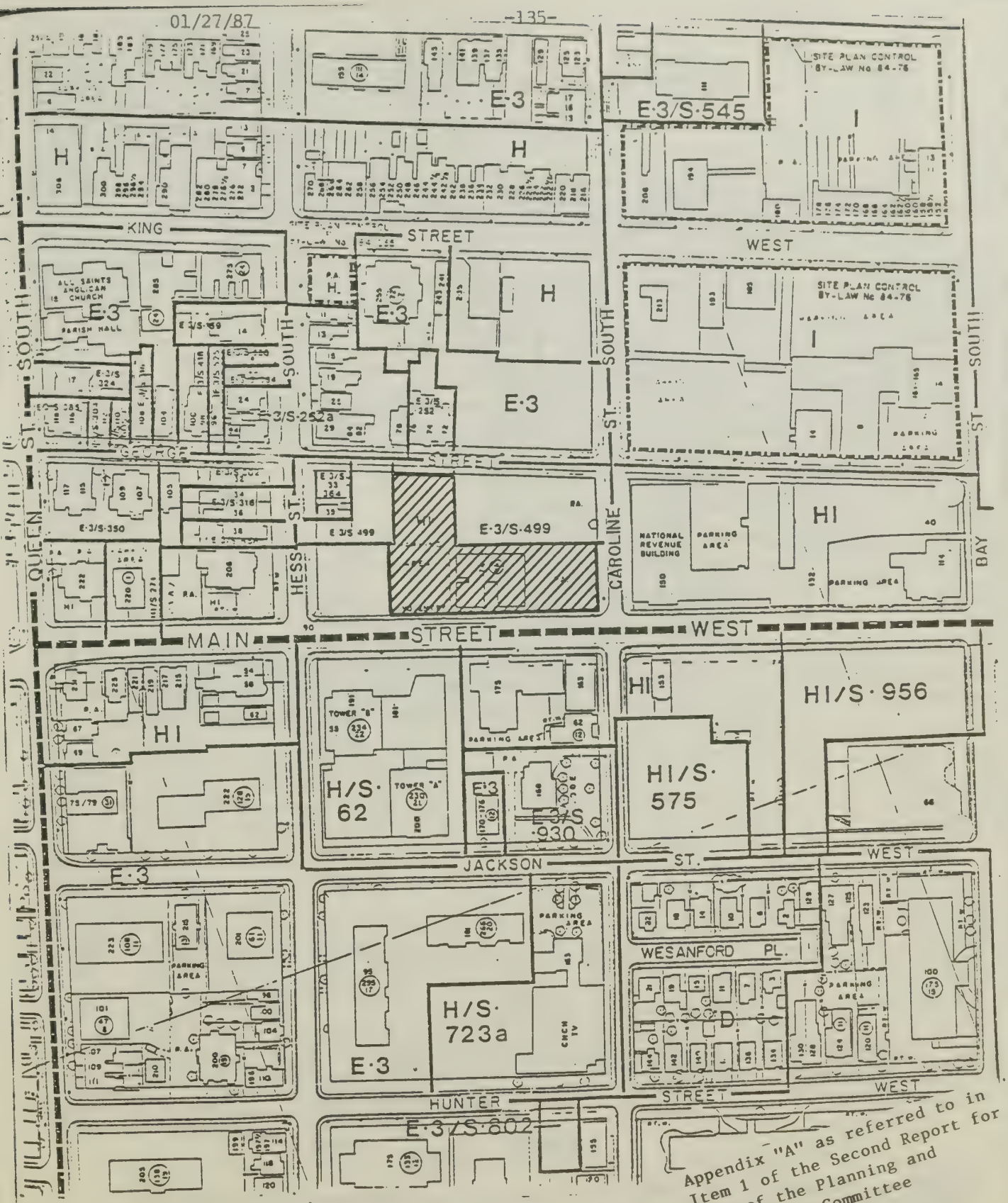
D-13 By-law to Establish Site Plan Control Respecting Land Located on the West Side of James Street North, in the Area North of King Street West.

Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN,
PLANNING AND DEVELOPMENT COMMITTEE

John Thompson, Secretary,
Planning and Development Committee
1987 January 14

JDT:tb

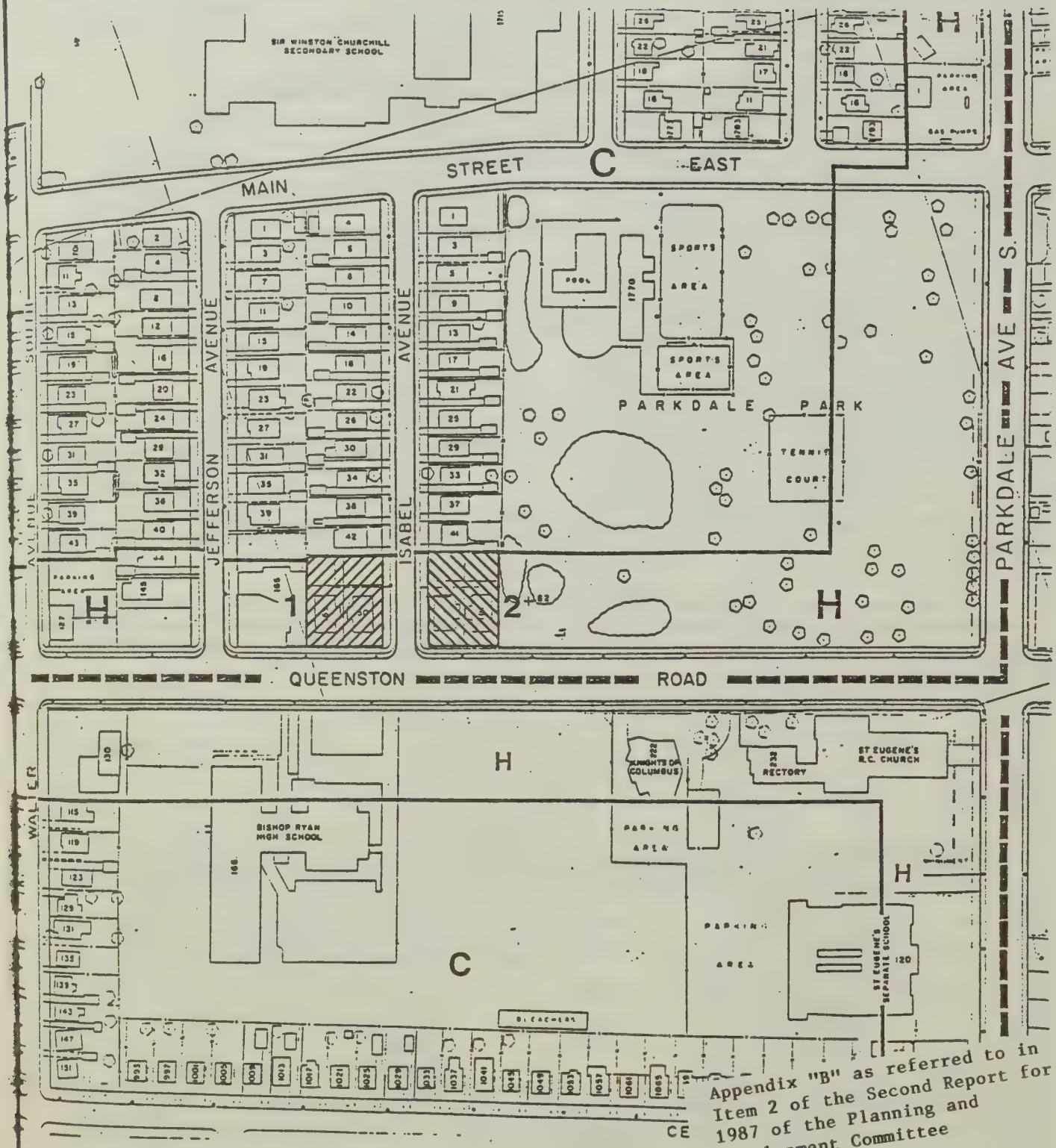


Appendix "A" as referred to in Item 1 of the Second Report for 1987 of the Planning and Development Committee

LEGEND

SITE OF THE APPLICATION

ZA86-75



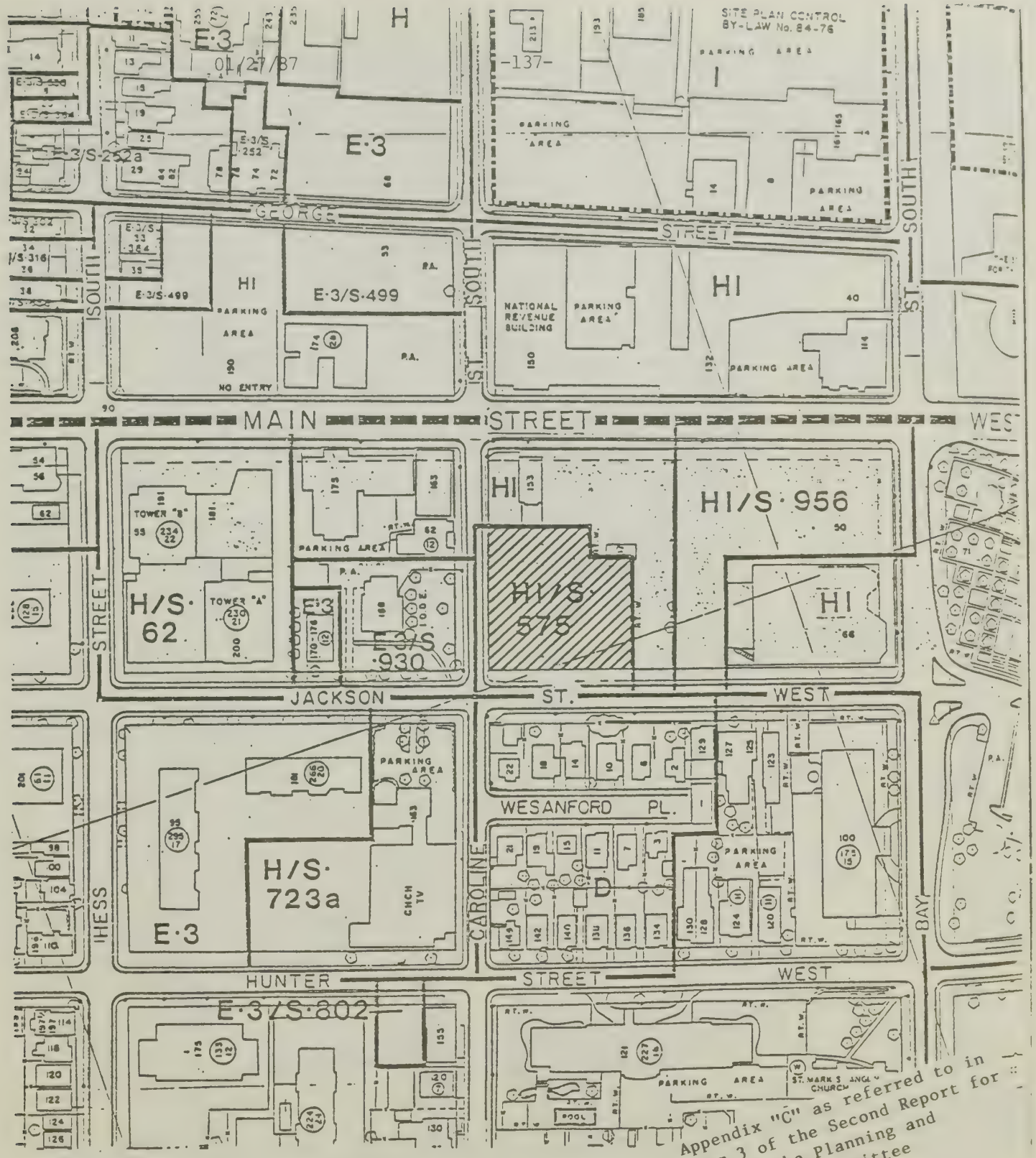
Appendix "B" as referred to in Item 2 of the Second Report for 1987 of the Planning and Development Committee

LEGEND

CHANGE IN ZONING FROM "H" (COMMUNITY SHOPPING AND COMMERCIAL, etc.) DISTRICT TO "DE-3" (MULTIPLE DWELLINGS) DISTRICT.

BLOCK 1 — No. 50 ISABEL AVENUE AND No. 169 QUEENSTON ROAD - ZA 86-95

BLOCK 2 — No. 51 ISABEL AVENUE AND No. 181 QUEENSTON ROAD - ZA 86-96

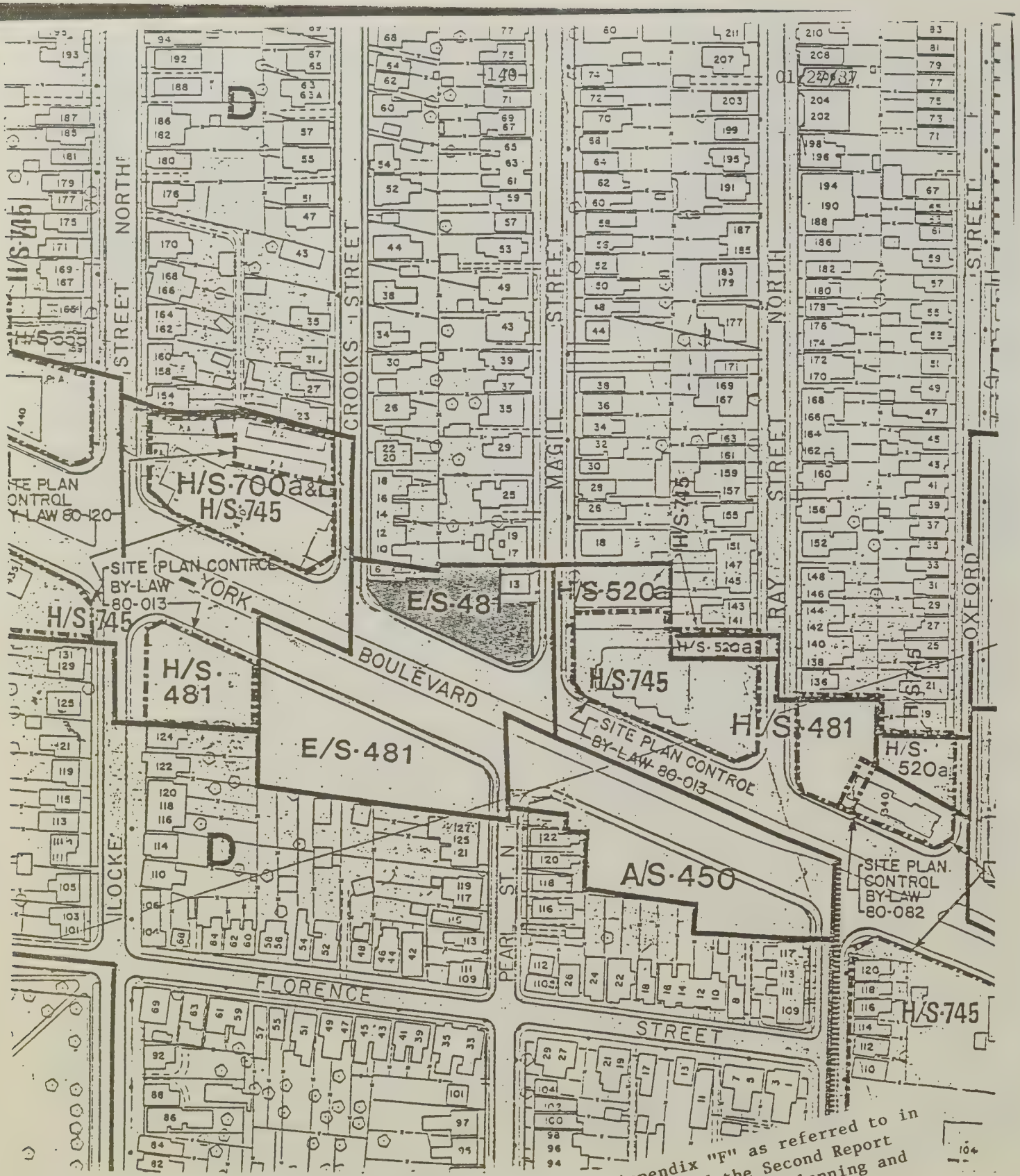


Appendix "C" as referred to in Item 3 of the Second Report for 1987 of the Planning and Development Committee

LEGEND

SITE OF THE APPLICATION

ZA86-ICO

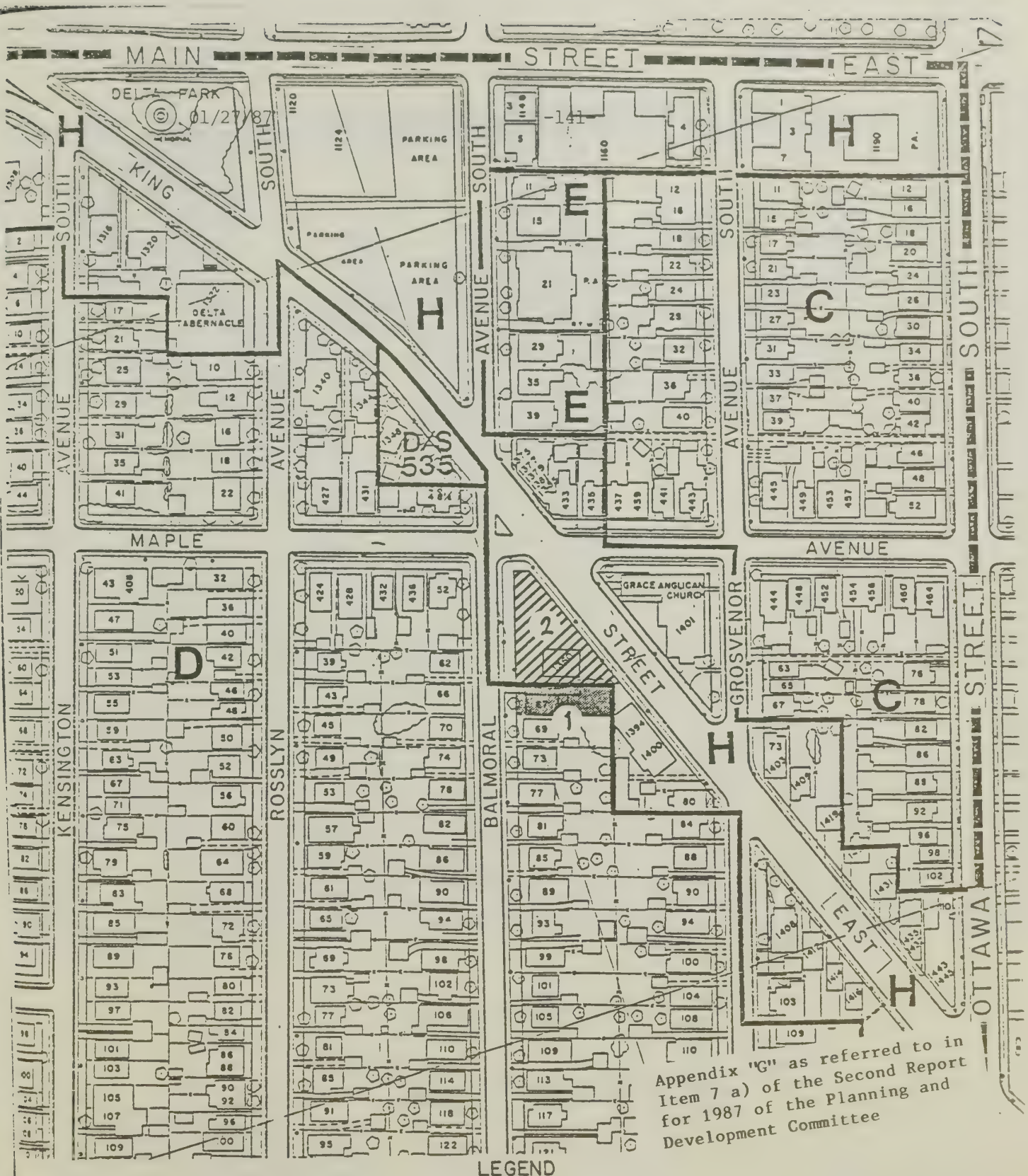


Appendix "F" as referred to in Item 6 of the Second Report for 1987 of the Planning and Development Committee

LEGEND

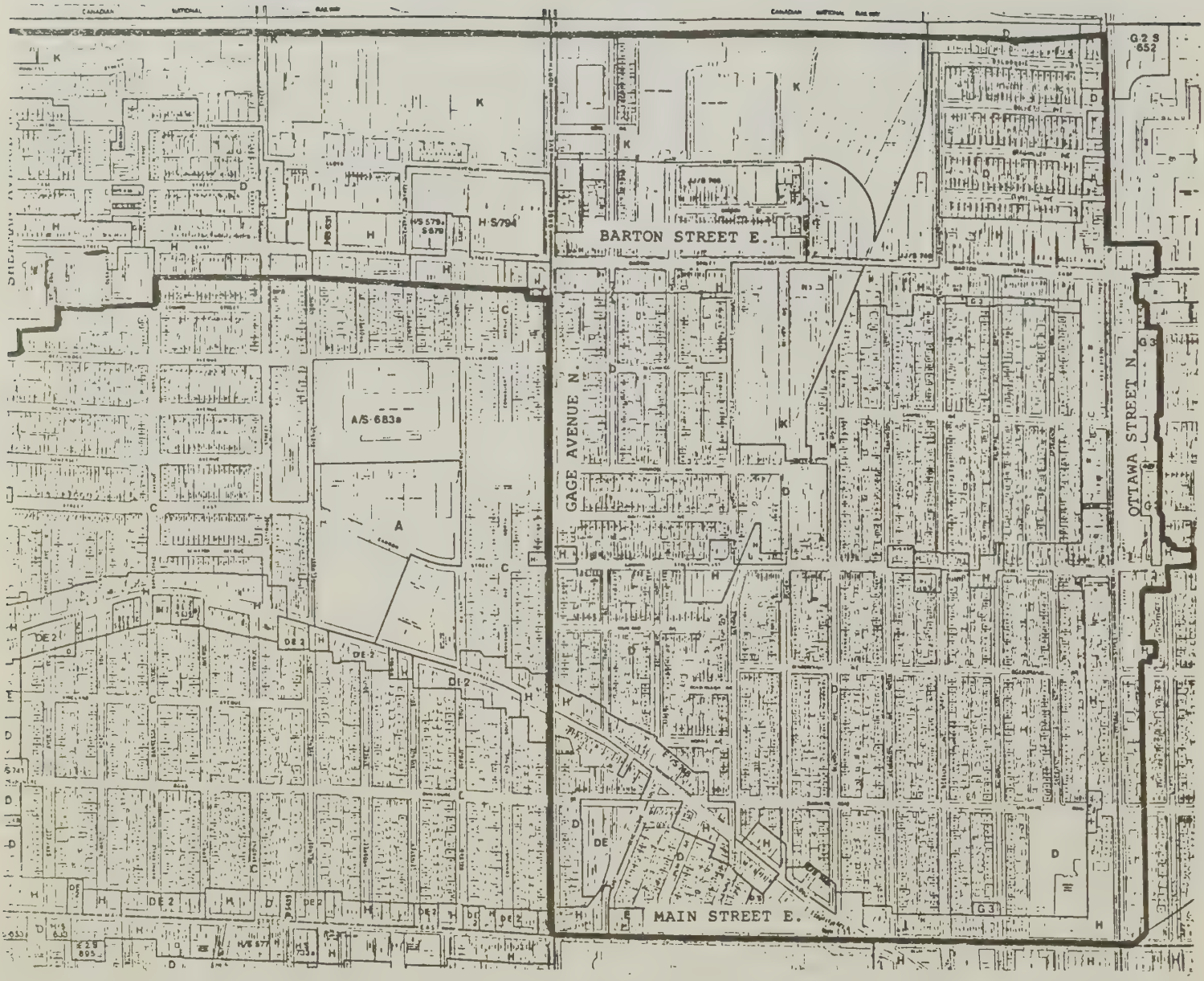
SITE OF THE APPLICATION

C.I. 86 - T



Appendix "G" as referred to in Item 7 a) of the Second Report for 1987 of the Planning and Development Committee

SCHEDULE 'A'
01/27/87



CROWN POINT WEST/STIPELEY

COMMUNITY IMPROVEMENT AREA

Appendix "H" as referred to in Item 13 a) of the Second Report for 1987 of the Planning and Development Committee

THIS IS SCHEDULE " " TO BY-LAW NO _____

_____ Clerk

_____ Mayor

INTERNATIONAL VILLAGE
BUSINESS IMPROVEMENT AREA

1987 BUDGET

Advertising	$47,000.00
Administration	500.00
Beautification	10,000.00
Communications	5,000.00
Government Funds Committee	300.00
Contingency Fund	6,000.00
Insurance & Legal Funds	1,500.00
Total Budget	$70,300.00

Appendix "I" as referred to in Item 14 (a) of the Second Report for 1987 of the Planning and Development Committee

SCHEDULE 'B'
01/27/87

INTERNATIONAL VILLAGE
BUSINESS IMPROVEMENT AREA

1987 SCHEDULE OF PAYMENTS
ON 1987 BUDGET

Three payments will be made.

February	$30,000.00
June.....	$30,000.00
September.....	$10,300.00
Total budget	$70,300.00

Appendix "J" as referred to in
Item 14 (c) of the Second Report
for 1987 of the Planning and
Development Committee

RESIDENTIAL REHABILITATION ASSISTANCE PROGRAM AGENCY AGREEMENT

THIS AGREEMENT made this day of , 19

BETWEEN.

CANADA MORTGAGE AND HOUSING CORPORATION
(hereinafter called "the Corporation")

- OR -

(hereinafter called "the Active Party")

OF THE FIRST PART

- and -

(hereinafter called "the Agent")

OF THE SECOND PART

WHEREAS the Corporation may, pursuant to Parts I, IV and IV.1 of the National Housing Act (hereinafter referred to as "the Act") make loans or insure loans for the repair and improvement of family housing units or housing accommodation of the hostel or dormitory type or for the modification of such units to improve their accessibility for disabled persons in such circumstances as may be prescribed by regulation of the Governor-in-Council.

AND WHEREAS the Corporation has entered into an Operating Agreement with the Active Party whereby the Active Party will deliver the programs hereinafter referred to on behalf of the Corporation.

AND WHEREAS the Corporation/Active Party has agreed that the Agent will act as a delivery agent for the Corporation/Active Party in the processing of loans for:

(A) The repair and improvement of family housing units in the manner and to the extent hereinafter set forth (Homeowner RRAP);

(B) The processing of loans for the repair and improvement of rental accommodation, hostel or dormitory accommodation in the manner and to the extent hereinafter set forth (Rental RRAP); and

(C) The processing of loans for the repair, improvement or modification of existing family housing units or housing accommodation of the hostel or dormitory type to improve the accessibility of disabled persons in the manner and to the extent hereinafter set forth (RRAP for the Disabled).

AND WHEREAS occupancy and building maintenance standards acceptable to the Corporation/Active Party have been adopted by the province, municipality or authority having jurisdiction, unless excepted therefrom by the Corporation/Active Party.

AND WHEREAS the Agent hereby agrees to deliver the program(s) in accordance with CMHC Standards for the Rehabilitation of Residential Buildings hereinafter referred to as "RRAP Standards".

NOW THEREFORE this Agreement witnesseth that in consideration of the mutual covenants herein contained, the parties hereto undertake and agree as follows:

Appendix "K (i)" as referred to in Item 15 of the Second Report for 1987 of the Planning and Development Committee

SCOPE OF AGREEMENT

1. The definitions forming a part of this Agreement are attached hereto as Schedule "A".

2. Loans pursuant to this Agreement will be made to provide financial assistance to:

   (A) Homeowners, to repair or improve existing substandard family housing units which are in need of major repairs up to minimum health and safety standards (RRAP Standards) to extend their useful life with normal care and maintenance by about fifteen (15) years (Homeowner RRAP);

   AND/OR

   (B) To provide financial assistance to owners of rental, hostel or dormitory accommodation, to repair or improve existing substandard rental units which are in need of major repairs up to minimum health and safety standards (RRAP Standards) and to extend their useful life with normal care and maintenance of about fifteen (15) years (Rental RRAP);

   AND/OR

   (C) To provide financial assistance to owners of existing housing accommodation to improve the accessibility of rental and ownership units occupied or intended to be occupied by disabled persons (RRAP for the Disabled).

3. Local Authorities are expected to use the Residential Rehabilitation Assistance Program as an incentive in their efforts to implement Occupancy and Building Maintenance Standards. RRAP will therefore provide, within the limits permitted by the RRAP Standards, funding to property owners to help them bring their residential properties up to the local Occupancy and Building Maintenance Standards' requirements.

LEVEL OF PROFICIENCY

4. The Agent shall carry out its responsibilities pursuant to this Agreement in a manner satisfactory to the Corporation/Active Party.

   (A) Administrative Knowledge and Skills

   The Agent shall have knowledge and ability in the following areas:

   (i) General Administration

   - Plan;
   - Control a budget;
   - Focus efforts on targets;
   - Communicate in both official languages in bilingual regions designated by the Federal Government.

   (ii) Program Administration

   - Interpret program policies and procedures;
   - Obtain accurate basic loan data;
   - Consider all the factors that affect the ability to repay a loan and to make a recommendation accordingly;
   - Understand legal implications and responsibilities of a loan (e.g. repayment, default).

   (iii) Administrative Services

   - Monitor budget take-up;
   - Complete program forms;
   - Recommend loan disbursements;
   - Maintain filing and BF systems.

   (B) Technical Knowledge and Skills

   The Agent shall have knowledge of:

   - common construction techniques and industry practices;
   - building systems and their functions;
   - applicable codes;
   - material and labour costs;
   - cost estimating technique;
   - specification writing techniques and methods;
   - common deficiencies encountered and their causes;
   - what is acceptable workmanship.

The Agent shall also be able to

- write clear and accurate specifications;
- interpret description of the work;
- assess the value of completed work;
- identify the causes of deficiencies and recommend measures to correct them;
- interpret codes and standards

Refer to Schedule "F" for Performance Criteria.

RESPONSIBILITIES OF AGENT

5. (A) The Agent agrees to process applications for loans and to carry out inspection duties on behalf of and as Agent for the Corporation/Active Party and to exercise reasonable care in the performance of its duties

(B) The Agent agrees to provide service in both official languages in bilingual regions designated by the Federal Government as per the Treasury Board Circular No. 1982-6, January 29, 1982, being;

(i) the province of New Brunswick;

(ii) parts of the Gaspé, the Eastern Townships, Montreal and parts of Western Quebec;

(iii) Northern and Eastern Ontario;

(iv) Metropolitan Toronto;

(v) the City of Winnipeg;

6. The processing of each loan and the inspection of each unit shall include:

(A) assessing eligibility of the applicant, verifying ownership of the dwelling, explaining the program and arranging for an inspection of the dwelling unit;

(B) performing a detailed interior and exterior inspection according to the RRAP Standards, assessing the eligibility of the dwelling under the program, listing all actual deficiencies, reviewing the results with the property owner, and determining any additional work the property owner may be eligible to undertake;

(C) preparing a detailed work write-up, a cost estimate on an itemized basis, a bid package and discussing and finalizing the package with the applicant;

(D) counselling the applicant in the most appropriate financing arrangements and assessing his borrowing capability; and in the case of rental loans, securing such data on operating costs as required by the Corporation/Active Party and providing an explanation of the Agreement Non-Resident Owners which the applicant will be required to enter into with the Corporation/Active Party;

(E) assisting the applicant in obtaining bids from a general contractor or from a number of sub-contractors to perform the work;

(F) receiving and completing the final application, and recommending to the Corporation the approval or rejection of the loan;

(G) (i) where the amount of the loan does not exceed the amounts set out in paragraph 1(D) of Schedule "C", preparing and arranging the execution of a promissory note in a form prescribed by the Corporation;
(ii) where the amount of the loan exceeds the amounts set out in paragraph 1(D) of Schedule "C" or where deemed appropriate, arranging for the preparation, execution and registration of a mortgage in a form prescribed by the Corporation/Active Party and for a full solicitor's report when required;
(iii) by arranging for such other security as may be approved by the Corporation/Active Party;

(H) carrying out progress inspections to ensure compliance with work write-ups and RRAP Standards and recommending to the Corporation/Active Party the making of progress advances;

(I) preparing any required revised work write-ups during construction; and

(J) carrying out a final inspection, and recommending a final advance and the close-out of the loan.

7. (A) An application for a RRAP loan shall be made on a form prescribed by the Corporation/Active Party; and

(B) the Agent agrees to comply in all respects with directions given to it from time to time by the Corporation/Active Party with respect to communications, the forms to be used and the procedures to be carried out with respect to the matters covered by this Agreement.

8. Where the Agent recommends that a loan be made to an applicant, the Agent shall forward to the Corporation/Active Party three (3) copies of the applicant's final application for loan which shall have annexed thereto inspector's write-up, cost estimate and the acceptable contractor's bid, a description of the rehabilitation work, and verification of income, and in the case of a landlord, an Agreement Non-Resident Owners and a Statement Revenue and Expenses.

9. Where the Corporation/Active Party has approved a loan to an applicant, the Corporation/Active Party will forward to both the applicant and the Agent a signed, approved copy of the applicant's final application.

10. When the Agent has received from the Corporation/Active Party notification of approval of the loan, the Agent shall obtain and forward to the Corporation/Active Party the security appropriate to the loan as detailed in 6(G) above.

TERMS AND CONDITIONS OF LOANS

11. Loans may be made by the Corporation/Active Party in accordance with the Terms and Conditions in Schedule "C".

PROGRESS OF WORK

12. During the period of effecting the rehabilitation work, the Agent shall make such inspections as will ensure that the rehabilitation work as specified by the Agent is carried out in reasonable conformity with the RRAP Standards attached hereto as Schedule "E", but the Agent shall not be required to provide supervision of the said work; and subject to such inspections, the Agent shall recommend to the Corporation/Active Party the making of advances with respect to the work in place.

13. (A) If the rehabilitation work specified by the Agent is carried out in a manner which does not comply with the RRAP Standards attached hereto as Schedule "E", the Agent shall inform the owner of such non-compliance and require that the rehabilitation work be corrected;

(B) if the non-compliance is not corrected as required, the Agent may recommend to the Corporation/Active Party such reduction in the amount of the loan as the Agent may determine;

(C) any changes to the terms, work write-ups and conditions of the loan as originally approved by the Corporation/Active Party must receive the Corporation's/Active Party's approval.

AGENCY FEES

14. In respect of loans covered by this Agreement the Agent shall be paid in accordance with Schedule "B".

15. The Agent shall keep accurate books, records and accounts of all disbursements made pursuant to paragraphs 5 to 10 of this Agreement and, from time to time as requested, shall furnish to the Corporation/Active Party particulars of such disbursements and permit representatives of the Corporation/Active Party to inspect all such books, records and accounts at any time within six years from the final advance.

SECURITY REQUIREMENTS

16. The Agent shall immediately inform the Corporation/Active Party of any irregularity or potential legal infraction in the delivery or administration of the program, and shall make available for immediate access all information in the possession of the Agent including files, reports, financial statements, vouchers, receipts and all other documentation relating to the delivery or administration of the program. The Agent shall also ensure that its employees or other representatives are available for interaction and dialogue with the Corporation/Active Party and its representatives to facilitate all investigations undertaken in respect of any irregularity or potential legal infraction in the delivery and administration of the program.

TERMINATION OR VARIATION

17. This Agreement may be terminated by either party by giving three (3) months' notice in writing to the other party and may also be terminated by the Corporation/Active Party without notice if at any time, in the opinion of the Corporation/Active Party, the Agent is in breach of any provision of this Agreement. Schedules "A", "B", "C" and "E" may be varied by the Corporation/Active Party at any time upon giving the Agent notice of such change.

EVALUATION

18. The parties to this Agreement acknowledge the need to carry out a process of evaluation of the rehabilitation program. For such purpose, the Agent agrees to provide the Corporation/Active Party with information or access to such information to the fullest extent as may reasonably be possible in respect of all matters arising from the administration of this Agreement.

PUBLICITY

19. The Agent will ensure that any literature or other information and material published by the Agent with respect to this Agreement will contain reference to the assistance provided by the Corporation/Active Party with respect to its program of residential rehabilitation assistance and, where there is a significant demand, the aforesaid information published by the Agent shall appear in a unilingual format in both the French and English media where available.

01/27/87

SUB-CONTRACTING

20. Subject to paragraph 4, the Agent may sub-contract its responsibilities under this Agreement, in whole or in part, provided that prior written approval is obtained from the Corporation/Active Party.

INDEMNIFICATION

21. The Corporation/Active Party covenants to indemnify the Agent from all claims for damages arising from this Agreement that are chargeable against the Agent in respect to the said application or approval of grants and loans made under or in respect of the Residential Rehabilitation Assistance Program, except those arising from fraud or negligence by the Agent or its employees.

IN WITNESS WHEREOF this Agreement has been executed by the parties hereto who have affixed their Corporate Seals duly attested to by their proper signing officers in that behalf.

CANADA MORTGAGE AND HOUSING CORPORATION

OR

ACTIVE PARTY

PER: _____

PER: _____

_____
AGENT

_____
TITLE

_____
TITLE

-150-

01/27/87

SCHEDULE "A"

Attached to and forming part of an agreement between

and the Agent dated the of 19 .

DEFINITIONS

In this agreement:

(1) "ACTIVE PARTY" means the party responsible for the delivery and administration of RRAP (e.g. CMHC, Provincial Housing Agency).

(2) "ADJUSTED INCOME": For the purpose of establishing the forgivable loan amount, the Active Party will determine the annual "adjusted income" of the household in the following manner:

- Exclude from the total household income:
  - family allowances;
  - alimony maintenance payments or child support paid to a separated or divorced spouse.

- Deduct from the total household income:
  - $300 for each dependent, includes children in full-time attendance at school and any other dependents with no income;
  - work-related earnings of a single parent or working spouse to a maximum of $1 000.

(3) "AVERAGE MARKET RENT" means average basic shelter costs in a specific geographic area for unsubsidized, non-farm, rental dwellings where rent is reported as greater than zero and where no rent is attributable to commercial space.

(4) "BASIC SHELTER COSTS" for homeowners for purposes of determining Core Housing Need means the following costs associated with a household's principal residence:

- mortgage payment of principal;
- mortgage payment of interest;
- property taxes;
- payments for oil, gas, coal, wood or other fuels;
- payments for electricity;
- payments for water, sewerage and related costs;
- payments for regular maintenance and repair;
- payments for homeowners comprehensive insurance; and
- condominium fees, where applicable.

(5) "BASIC SHELTER COSTS" for renter households for purposes of determinig Core Housing Need means the following costs associated with a household's principal residence:

- rent;
- payments for oil, gas, coal, wood or other fuels, electricity, water, sewerage and related costs.

(6) "CORE HOUSING NEED" means those households in need who cannot afford or cannot obtain adequate and suitable accommodation. This includes those households:

- who occupy a crowded or inadequate dwelling and who currently pay less than 30% of their income for shelter but for whom basic shelter costs for an adequate and suitable dwelling available in their market area would consume 30% or more of their income; or
- who pay 30% or more of their income for shelter and for whom an adequate and suitable dwelling available in their market area would consume 30% or more of their income.

(7) "COST-SHARING" means the sharing between Canada and "A Province" of the eligible program costs covered by the Operating Agreement according to the terms, conditions, frequency of payments and method or methods of calculation as set out in the Operating Agreement.

(8) "CROWDED DWELLING" means a dwelling with more than one person per room with the exception of bathrooms, halls, pantries, and closets, and any rooms used for business purposes; all rooms in the dwelling considered separate by the household are counted.

(9) "DELIVERY" means all activity associated with RRAP prior to a project's Interest Adjustment Date. This includes direct dealings with clients or the overseeing of a delivery agent who deals directly with the client.

(10) "DISABLED PERSON" means any person who, as a result of a deficiency, either congenital or not in his or her physical or mental capability, is unable to ensure by himself or herself the necessities and social life of a normal individual.

(11) "HOUSEHOLD" means a person or a group of persons who occupy or who have need of a dwelling in "A Province" and do not have a principal place of residence elsewhere in Canada.

(12) "HOUSING AGENCY" means CMHC, a "Provincial Housing Agency (PHA)", or any municipality, non-profit corporation or Native organization with whom CMHC or "PHA" may enter into agreements to carry out any program or initiative covered by the Global Agreement and Operating Agreement.

(13) "INADEQUATE DWELLING" means a dwelling needing major repairs or lacking basic facilities. Major repairs include, but are not limited to defective plumbing, defective electrical wiring, structural repairs to walls, floors, ceilings, inadequate or defective heating system or fire safety hazards. Basic facilities are hot and cold running water, an indoor toilet and a bathtub or shower.

(14) "INTEREST ADJUSTMENT DATE (IAD)" is the date on which the accrued interest is due, computed on the various repayable advances made during the course of repairs. The regular schedule of repayment begins and interest is calculated from the Interest Adjustment Date. The Interest Adjustment Date is the first of the month following the final advance of loan funds.

(15) "MAJOR REPAIR" means those repairs required to correct deficiencies which represent a threat to the health and safety of the occupants, the cost of which represents a major burden on the property owner.

(16) "NATIVE" means Metis, non-status Indian, Indian as defined in the Indian Act, or Inuit.

(17) "OCCUPIER" means occupants who can show reasonably long term uninterrupted occupancy of a given unit; and can provide evidence of ownership of the unit notwithstanding the fact that the land on which the unit is located is not owned by the occupant.

(18) "OWNER" means "owner(s)" of a family housing unit including the person(s) to whom one or more of the following conditions apply:

- the freehold owner(s) with clear title to the family housing unit;
- the executor(s), administrator(s) or other legal representative(s) of the estate of such person(s);
- the mortgagor(s) who has/have an equity of redemption in the family housing unit under a mortgage, trust agreement or contract;
- purchaser(s) of property under a signed agreement for sale;
- lessee(s) of property under a lease expiring not less than three years after the maturity of any loan made to the lessee(s) under the Act;
- lessee(s) of land under a lease from the Crown or from any municipality when the lessee(s) owns a home located thereon; and
- veteran(s) with whom the Director, Veterans' Land Act, has a subsisting contract for the sale of land made pursuant to Part I or the Veterans' Land Act.

(19) "POST REHABILITATION RENTS" means those maximum monthly rents which can be charged immediately following the completion of the repairs.

(20) "PRIORITY GROUPS" means all those households in Core Housing Need.

(21) "RURAL" means rural areas or communities, off reserve, having a population of 2 500 or less. Rural municipal jurisdictions having a population of greater than 2 500 but where the population is dispersed (i.e. no population core or centre of more than 2 500) are considered rural areas.

(22) "SPECIAL PURPOSE HOUSING" means hostel or self-contained housing, used as a principal residence, which includes on-site care services and facilities, excluding food, related to residents' common physical, social and emotional condition or disability.

(23) "SUITABLE DWELLING": For purposes of determining Core Housing Need, means a dwelling which can accommodate a household according to the following household size/dwelling size relationship:

- 1 person - studio;
- 2 people - 1 bedroom;
- 3 - 4 people - 2 bedrooms;
- 5 or more people - 3 or more bedrooms.

(24) "SWEAT EQUITY" means the value of labour that clients contribute without charge to repair or improve the housing unit.

(25) "TOTAL DEBT SERVICE (TDS) RATIO" is the ratio of the owner and spouse's annual basic shelter costs and fixed debts to their total income.

(26) "TOTAL HOUSEHOLD INCOME" is the aggregate income, in whatever form received, of the owner-occupier and spouse and 25% of the income of all other permanent household members, excluding the income of children in full-time attendance at school.

Income includes:

- Salary, wages, commissions, rents, investment income, part-time earnings, tips, alimony maintenance payments and child support recieved from a separated/divorced spouse, etc.;
- Unemployment Insurance Benefits, Social Assistance, Mother's Allowance, Welfare, and Family Allowances;
- Old Age Security Pension, Canada Pension Plan, private pensions, disability pensions, annuities, etc.

In those cases where an applicant or permanent household member is self-employed, the following applies: The annual income for self-employed individuals is the net income (gross revenue minus expenses) plus capital cost allowances. Examples of assets subject to capital cost allowance are vehicles, buildings, equipment, etc.

A verification/confirmation of income must be obtained for all applicants. For example, a statement signed by the employer, or in the case of self-employed, a copy of the most recent income tax return or other evidence satisfactory to the Active Party

Boarders unrelated to the applicant or spouse are not considered to be permanent household members. The net rents received from such boarders for room and board are to be included in total household income.

(27) "URBAN" means communities having a population of more than 2 500, except rural municipal jurisdictions having a population greater than 2 500 but where the population is dispersed.

NOTE: The definitions contained in the National Housing Act and the National Housing Loan Regulations shall also apply.

SCHEDULE "B"

Attached to and forming part of an agreement between

and the Agent dated the of 19

1 DELIVERY FUNCTIONS

1. Administrative
   - preliminary counselling,
   - bid review, financial counselling and final loan application;
   - processing loan increases/decreases.

2. Technical - Initial Inspection
   - initial inspection,
   - work specification and costs estimate;
   - revised work specification (increases/decreases).

3. Technical - Progress Inspections
   - job site meeting;
   - progress inspections;
   - final inspection.

2. AGENCY FEES

Agency fees are payable on applications approved by the Corporation/Active Party only. No partial payment will be made for delivery functions performed on applications which do not proceed to approval. Agency fees shall be paid either upon final advance or in two stages: upon loan approval and upon final advance.

2.1 LOANS WHERE ALL DELIVERY FUNCTIONS ARE CARRIED OUT

In respect of loans for family housing units and loans for housing accommodation of the hostel or dormitory type, where the Agent carries out all delivery functions as described above, the Agent shall be paid as follows:

CATEGORY I - where the unit is accessible by road.

- $600.00 when the distance to the unit from the nearest agency office (one way) is less than or equal to 100km;
- $685.00 when the distance to the unit from the nearest agency office (one way) is greater than 100km, but less than or equal to 250km;
- $750.00 when the distance to the unit from the nearest agency office (one way) is greater than 250km.

CATEGORY II - where the unit is not accessible by road.

- $835.00 when the distance to the unit from the nearest agency office (one way) is less than or equal to 250km;
- $935.00 when the distance to the unit from the nearest agency office (one way) is greater than 250km.

Where the loan covers more than one family housing unit, the Corporation/Active Party shall pay an additional sum of $70.00 for each unit in excess of one unit for all services of the Agent, regardless of distance.

In respect of loans for housing accommodation of the hostel or dormitory type, where the loan covers more than one bed-unit, the Corporation/Active Party shall pay an additional sum of $35.00 for each bed-unit in excess of one bed-unit for all services of the Agent, regardless of distance.

NOTE: Where the total cost to the Agent of rendering the services exceeds the amount of the said fee, the excess shall be borne by the Agent.

2.2 LOANS WHERE NOT ALL DELIVERY FUNCTIONS ARE CARRIED OUT

In respect of loans for family housing units and loans for housing accommodation of the hostel or dormitory type, where the Agent does not discharge all of the functions as described in this sub-section the Agent shall be paid as follows:

- for the services carried out and described as "Administrative Functions", the Corporation/Active Party shall with respect to each loan where the unit is accessible by road, pay to the Agent a fee of:
  - $230.00, when the distance to the unit from the nearest agency office (one way) is less than or equal to 100km;
  - $260.00, when the distance to the unit from the nearest agency office (one way) is greater than 100km, but less than or equal to 250km;
  - $285.00, when the distance to the unit from the nearest agency office (one way) is greater than 250km;

- for the services carried out and described as "Administrative Functions", the Corporation/Active Party shall with respect to each loan where the unit is not accessible by road, pay to the Agent a fee of:
  - $315.00, when the distance to the unit from the nearest agency office (one way) is less than or equal to 250km;
  - $350.00, when the distance to the unit from the nearest agency office (one way) is greater than 250km;

- for the services carried out and described as "Administrative Functions", where the loan covers more than one family housing unit, the Corporation/Active Party will pay the Agent an additional sum of $15.00 for each unit in excess of one unit regardless of distance;

- for the services carried out in respect of loans for housing accommodation of the hostel or dormitory type and described as "Administrative Functions", where the loan covers more than one bed-unit, the Corporation/Active Party will pay the Agent an additional sum of $7.00 for each bed-unit in excess of one bed-unit regardless of distance;

- for the services carried out and described as "Technical-Initial Inspection-Functions", the Corporation/Active Party shall at the time the final advance is made with respect to each loan where the unit is accessible by road, pay to the Agent a fee of:
  - $160.00, when the distance to the unit from the nearest agency office (one way) is less than or equal to 100km;
  - $185.00, when the distance to the unit from the nearest agency office (one way) is greater than 100km, but less than or equal to 250km;
  - $200.00, when the distance to the unit from the nearest agency office (one way) is greater than 250km;

- for the services carried out and described as "Technical-Initial Inspection-Functions", the Corporation/Active Party shall at the time the final advance is made with respect to each loan where the unit is not accessible by road, pay to the Agent a fee of:
  - $230.00, when the distance to the unit from the nearest agency office (one way) is less than or equal to 250km;
  - $255.00, when the distance to the unit from the nearest agency office (one way) is greater than 250km;

- for the services carried out and described as "Technical-Initial Inspection-Functions", where the loan covers more than one family housing unit, the Corporation/Active Party will pay the Agent an additional sum of $35.00 for each unit in excess of one unit regardless of distance;

- for the services carried out in respect of loans for housing accommodation of the hostel or dormitory type and described as "Technical-Initial Inspection-Functions", where the loan covers more than one bed-unit, the Corporation/Active Party will pay the Agent an additional sum of $17.50 for each bed-unit in excess of one bed-unit regardless of distance;

- for the services carried out and described as "Technical-Progress Inspection-Functions", the Corporation/Active Party shall with respect to each loan where the unit is accessible by road, pay to the Agent a fee of:
  - $210.00, when the distance to the unit from the nearest agency office (one way) is less than or equal to 100km;
  - $240.00, when the distance to the unit from the nearest agency office (one way) is greater than 100km, but less than or equal to 250km;
  - $265.00, when the distance to the unit from the nearest agency office (one way) is greater than 250km;

- for the services carried out and described as "Technical-Progress Inspection-Functions", the Corporation/Active Party shall with respect to each loan where the unit is not accessible by road, pay to the Agent a fee of:
  - $290.00, when the distance to the unit from the nearest agency office (one way) is less than or equal to 250km;
  - $330.00, when the distance to the unit from the nearest agency office (one way) is greater than 250km;

- for the services carried out and described as "Technical-Progress Inspection-Functions", where the loan covers more than one family housing unit, the Corporation/Active Party will pay the Agent an additional sum of $20.00 for each unit in excess of one unit regardless of distance;

- for the services carried out in respect of loans for housing accommodation of the hostel or dormitory type and described as "Technical-Progress Inspection-Functions", where the loan covers more than one bed-unit, the Corporation/Active Party will pay the Agent an additional sum of $10.50 for each bed-unit in excess of one bed-unit regardless of distance.

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2.3 REFERENCE FEE CHART

	Category I Unit is Accessible by Road			Category II Unit is not Accessible by Road	
	UP TO 100KM	101 TO 250KM	251KM +	UP TO 250KM	251KM +
I Administrative Functions Only	$230.00	$260.00	$285.00	$315.00	$350.00
• Each Additional Unit	15.00	15.00	15.00	15.00	15.00
• Each Additional Bed-unit	7.00	7.00	7.00	7.00	7.00
II Technical-Initial Inspection-Functions Only	$160.00	$185.00	$200.00	$230.00	$255.00
• Each Additional Unit	35.00	35.00	35.00	35.00	35.00
• Each Additional Bed-unit	17.50	17.50	17.50	17.50	17.50
III Technical-Progress Inspection-Functions Only	$210.00	$240.00	$265.00	$290.00	$330.00
• Each Additional Unit	20.00	20.00	20.00	20.00	20.00
• Each Additional Bed-unit	10.50	10.50	10.50	10.50	10.50
IV All Delivery Functions Carried Out	$600.00	$685.00	$750.00	$835.00	$935.00
• Each Additional Unit	70.00	70.00	70.00	70.00	70.00
• Each Additional Bed-unit	35.00	35.00	35.00	35.00	35.00

NOTE: Agency fees are payable on applications approved by the Corporation/Active Party only. No partial payment will be made for delivery functions performed on applications which do not proceed to approval. Agency fees shall be paid either upon final advance or in two stages: upon loan approval and upon final advance.

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SCHEDULE "C"

Attached to and forming part of an agreement between

and the Agent dated the of 19

TERMS AND CONDITIONS OF LOANS

1. Loans pursuant to this agreement:

   (A) shall bear such rates of interest as shall be specified from time to time in writing by the Corporation/Active Party;

   (B) shall be for a term not exceeding the useful life of the housing unit as determined by the Corporation/Active Party and in any case not exceeding twenty years from the date of completion of the repair or improvement of the housing unit;

   (C) shall be repayable by monthly payments of principal and interest; (or as otherwise agreed to between the Corporation/Active Party and the borrower);

   (D) shall be secured:
   (i) by a promissory note in favour of the Corporation/Active Party where the amount of the loan does not exceed $10 000; or
   (ii) by a mortgage in favour of the Corporation/Active Party where the amount of the loan exceeds $10 000 and a full solicitors report when required; or
   (iii) by such other security as may be approved by the Corporation/Active Party; and
   (iv) by separate security for each loan where an applicant is obtaining RRAP loans on the same property, e.g. Homeowner RRAP and RRAP for the Disabled.

   (E) shall require:
   (i) a full title search, title report and tax certificate when the loan amount exceeds $25 000 or if deemed appropriate by the Corporation/Active Party; or
   (ii) a subsearch of title when the loan amount is less than $25 000.

2. The maximum amount of loan (including the forgivable loan), shall not exceed:

   Homeowner RRAP
   - $10 000 per unit for urban homeowners and "occupiers" in rural areas who do not own the land on which the unit is located;
   - $25 000 per unit for other rural homeowners;

   Rental RRAP
   - $17 000 for each family housing unit in rental accommodation;
   - $ 8 500 for each hostel bed;

   RRAP for the Disabled
   - $10 000 for a homeowner-occupied family housing unit;
   - $ 5 000 for each family housing unit in rental accommodation;
   - $ 2 500 for each hostel bed.

3. The maximum amount of loan, the repayment of which may be forgiven, shall not exceed:

   Homeowner RRAP
   - Southern Zone:
     $5 000 for a homeowner-occupied family housing unit;
   - Northern Zone:
     $6 250 for a homeowner-occupied family housing unit;
   - Far Northern Zone:
     $8 250 for a homeowner-occupied family housing unit;

   Rental RRAP
   - $17 000 for each family housing unit in rental accommodation;
   - $ 8 500 for each hostel bed;

   RRAP for the Disabled
   - $5 000 for a homeowner-occupied family housing unit;
   - $5 000 for each family housing unit in rental accommodation;
   - $2 500 for each hostel bed.

4 Subject to clause 3

(A) Homeowner RRAP
- Subject to the continued ownership and occupancy of the dwelling the forgivable loan will be earned by the homeowner over five years.

(B) Rental RRAP
- Subject to the adherence to the terms and conditions of the rental agreement, and continued ownership of the project the forgivable loan will be earned over fifteen years.

(C) RRAP for the Disabled
(i) Homeowners - Subject to the continued ownership and occupancy of the dwelling the forgivable loan will be earned by the homeowner over five years.
(ii) Landlords - Subject to the adherence to the terms and conditions of the rental agreement, and continued ownership of the project the forgivable loan will be earned over fifteen years.

PROVIDED, however, that where

(D) in respect of a family housing unit, referred to in paragraph 4(A) and 4(C)(i) hereof, the borrower ceases to own or occupy the unit without the prior written consent of the Corporation/Active Party during the period of time in which the borrower is earning the forgivable portion of the loan, the borrower shall be required to repay, forthwith, the balance of the loan. Such repayment shall be in accordance with the terms of the loan security, including that part of the loan the payment of which would have been earned by the borrower. Repayment shall be made following the date on which the borrower ceased to own or occupy the aforesaid unit. The Corporation/Active Party may waive the foregoing requirement for payment of the said balance of the loan, and continue to grant forgiveness of part of the loan to the borrower, where the borrower leases his unit to a lessee subject to terms and conditions satisfactory to the Corporation/Active Party; and

(E) in respect of a family housing unit referred to in paragraph 4(B) and 4(C)(ii) hereof and in which the borrower does not reside, the borrower sells or otherwise disposes of the unit without the prior written consent of the Corporation/Active Party, or where the borrower shall be in default under the terms of payment of the loan or the provisions of the Agreement Non-Resident Owners referred to in paragraph 6(D) of the Agreement, the borrower shall be required to repay forthwith the balance of the loan in accordance with the terms of the loan security.

5. (A) The total amount of forgiveness of each loan in respect of a family housing unit referred to in paragraph 4(A) and 4(C)(i) shall be determined in relation to the adjusted household income of the borrower

(B) The total amount of forgiveness of each loan in respect of a family housing unit referred to in paragraph 4(B) shall be determined by the relationship of the post-rehabilitation rents to the average market rents.

(C) The total amount of forgiveness of each loan in respect of a family housing unit referred to in paragraph 4(C)(ii) shall be equal to the cost of modifications up to the maximum available.

6. (A) The Agent shall require a borrower, in respect of a family housing unit in which the borrower resides, to furnish a statement of total household income as defined in Schedule "A", and

(B) The application for loan shall provide that it is a condition of the loan that if the statement referred to in paragraph 6(A) was false at the time of the said statement, the whole of the monies remaining unpaid on the loan together with the entire amount which may have otherwise been forgiven under the loan shall forthwith become due and payable

7. The Agent shall use its best efforts to ensure, when considering an application for a loan in respect of a family housing unit in which the owner resides, that the total debt service ratio shall not exceed 40% of the total income of the owner-occupier and spouse in whatever form received.

In computing the ratio referred to above, where the Agent considers that an owner would be a satisfactory borrower, notwithstanding a debt service ratio exceeding the debt service ratio set out above, the Agent may recommend that a loan be made to such owner.

8. Where a loan is applied for by the owner of a family housing unit who does not reside in the unit, it shall be a condition of the loan that the borrower enter into an Agreement Non-Resident Owners with the Corporation, which places a ceiling on rentals that may be charged.

SCHEDULE "D"

Attached to and forming part of an agreement between

and the Agent dated the of 19 .

Areas which are more particularly described as:

SCHEDULE "F"

Attached to and forming part of an agreement between

and the Agent dated the of 19

Agents will be selected and expected to perform in accordance with the following Performance Criteria

A - COMPETENCE AREA: ADMINISTRATIVE KNOWLEDGE AND SKILLS

Task	Conditions/Quality Standards	Knowledge and Skills
1.1 Explain conditions of program	- In compliance with the program policies and procedures - Accurately, thoroughly in simple and clear language - Both official languages (in bilingual areas)	- Knowledge of program policies and procedures - Ability to interpret program policies and procedures - Ability to communicate concepts and complex procedures in simple and clear language - Ability to communicate in both official languages in bilingual regions designated by the Federal Government
1.2 Explain conditions of the loan	- Same as above	- Knowledge of program policies and procedures - Ability to interpret program policies and procedures - Knowledge of legal implications and responsibilities of a loan (e.g. repayment default) - Ability to communicate in simple and clear language - Ability to communicate in both official languages
1.3 Establish forgivable and repayable loans and monthly instalments	- In compliance with the program policies and requirements - 100% accurate	- Knowledge of program policies and requirements - Ability to use interest rate factors and/or monthly payment tables - Ability to establish the required financing - Ability to obtain accurate basic loan data
1.4 Prepare final loan application	- Use forms provided for the program - 100% accurate - All copies legible - Corrections made cleanly - All fields completed - Signed by applicant and agent	- Knowledge of the required information on the form - Ability to make all calculations - Knowledge of program policies and regulations
1.5 Prepare promissory note	- Use form provided for the program - 100% accurate - 2 copies (original) - All fields completed - Signed by applicant	- Knowledge of related laws - Knowledge of required information on the form
1.6 Prepare mortgage instructions to solicitor	- Use form provided for the program - 100% accurate	- Knowledge of mortgage law - Knowledge of mortgage contents - Knowledge of information required by the solicitor - Ability to explain to solicitor program requirements - Ability to explain to applicant the contents of the mortgage - Ability to verify if the mortgage prepared is complete and conforms to the instructions provided
1.7 Assess applicants' financial capacity	- Use program form - All fields completed - Maximum rent identified	- Knowledge of program policy - Knowledge of provincial law and regulations - Ability to interpret interface between program and provincial requirements

Task	Conditions/Quality Standards	Knowledge and Skills
1.8 Recommend approval or rejection of the loan application	- Conform to all eligibility criteria - 100% accurate	- Knowledge of program priorities - Knowledge of eligibility criteria of the property, owner revenue, owner capacity to repay - See 2.1 - Ability to interpret eligibility criteria - Ability to make difficult decision and to justify it - Ability to communicate decision to the applicant
1.9 Monitor budget take-up	- Within budget allocation - Within program targets - Quarterly take-up plan develop	- Ability to plan - Ability to control a budget - Ability to focus efforts on targets
1.10 Complete program forms	- Compliance with the program policies and guidelines - 100% accurate - All fields completed - Legible - Corrections made cleanly	- Knowledge of the required information on the form - Ability to make calculations - Knowledge of program policies and guidelines
1.11 Recommend loan disbursements	- See 2.4 - Using program form - Within a three-day turnaround time	- See 2.4 - Ability to run an efficient operation
1.12 Maintain filing and BF systems	- Compliance with program guidelines and requirements	- Ability to run an efficient office
1.13 Prepare Agreement Non-Resident Owner	- Use program form - All fields completed - Maximum rent identified	- Knowledge of program policy - Knowledge of provincial landlord and tenant law and regulations - Ability to interpret interface between program and provincial requirements
1.14 Establish project viability (rental loans)	- Use program form - Establish current and anticipated project revenues and expenses and/or appraisal. Detailed rent schedule attached	- Knowledge of what project revenues consist of - Knowledge of what project expenses consist of - Ability to obtain and identify the required information - Ability to foresee revenues and expenses following the renovation - Knowledge of the rental market area

B - COMPETENCE AREA TECHNICAL KNOWLEDGE AND SKILLS

Task	Conditions/Quality Standards	Knowledge and Skills
2.1 Assess condition of the property and identify RRAP eligible work	- All building systems inspected - In conformity with the applicable municipal, provincial and federal codes - In conformity with the program standards - Clear and accurate inspection report prepared	- Knowledge of the common construction techniques used in an area - Knowledge of the building systems and their function - Knowledge of the common deficiencies encountered and their causes - Knowledge of applicable codes - Ability to interpret these codes - Knowledge of the RRAP Standards - Ability to interpret RRAP Standards - Ability to identify the causes of deficiencies and recommend measures to correct them - Ability to write clearly and accurately - Ability to use assistance of expert when required
2.2 Select cost-effective corrective measures	- Within program policies and guidelines - Meeting the needs of the applicant - Workable solutions - Respecting the architectural characteristics of the building and the neighbourhood - Within applicant's ability to pay	- Knowledge of program policies and guidelines - Ability to assess applicant's needs - Knowledge of materials and methods - Knowledge of material and labour costs - Ability to appreciate architectural characteristics - Ability to select aesthetic solutions and material - Ability to work within a tight budget
2.3 Write a description of the work	- Conform to applicable codes - Clear, accurate and concise description - Materials performance standards identified - Special installation procedures described when non-standard industry practices are required	- Knowledge of applicable codes - Knowledge of materials and construction techniques - Knowledge of industry practices - Knowledge of applicable codes and material standards - Ability to write clear and accurate specifications - Knowledge of specification writing techniques and methods
2.4 Establish cost of the work	- Cost of materials identified per work item - Cost of labour identified per work item - Cost of contractors' overhead and profit identified per work item	- Knowledge of a cost estimating technique - Knowledge of material and labour costs in an area - Knowledge of industry in an area - Ability to develop unit costs and data bank - Knowledge of factors that affect prices
2.5 Examine bid of contractors	- Variance with inspectors' estimate within program guidelines	- Same as 2.4 - Ability to negotiate prices - Ability to correct estimate
2.6 Monitor progress of the work	- Conformity with description of the work - Quality of material ensured - Quality of workmanship ensured - Change orders agreed by all parties before work is implemented - Change orders cost-estimated - Credit or price increase identified and agreed by all parties	- Ability to interpret description of the work - Knowledge of what is acceptable workmanship - Ability to negotiate change orders with all parties and assess the cost - Ability to assess the value of completed work - Ability to prepare a change order - Knowledge of the process to obtain loan increase or decrease

01/27/87

F O R A C T I O N

FROM E. W. Kowalski, Director
Department of Community Development

DATE 1987 January 07

TO Planning and Development Committee

Refer To File No. 800-0100

Attention Of

Your File No.

SUBJECT

Residential Rehabilitation Assistance Programme
Operating Agreement

RECOMMENDATION

That the Mayor and City Clerk be authorized to enter into the attached Operating Agreement, Appendix I, with Canada Mortgage and Housing Corporation concerning the delivery of the Residential Rehabilitation Assistance Programme (R.R.A.P.) in the City of Hamilton.

E Kowalski

BACKGROUND

As the Committee is aware, the City of Hamilton has been successfully administering the Residential Rehabilitatuon Assistance Programme (R.R.A.P.) since it's inception in 1974. During that time the City has processed almost $6,000,000. in loans and grants to the owners of both owner-occupied and rental units. The City's commitment represents one of the most successful delivery Programmes in the Province of Ontario. During this twelve year period there have been several Agency Agreements in place, and on every occasion the City has been able to negotiate on certain sections of the Agreement to reflect delivery policies in the City of Hamilton.

The Department of Community Development has been negotiating with Canada Mortgage and Housing Corporation (C.M.H.C.) concerning the latest Agreement; however, on this occasion there appears to be no room for compromise. In the covering letter sent with the Agreement is a statement from the Branch Manager. The letter in part reads as follows: "The copy of the new Agreement is attached which must be executed without change should you agree to continue as our Agent."

Appendix "K(ii) as referred to in Item 15 (Explanatory Note) of the Second Report for 1987 of the Planning & Development Comm.

Planning and Development
Committee

BACKGROUND continued

It must be pointed out that this new Agreement includes several open-ended clauses that concern this Department, as well as the Building Department who are responsible for conducting the necessary inspections under the Programme. The specific Clauses which concern this Department are 7B and 17 which read as follows:

7B: "the Agent agrees to comply in all respects with directions given to it from time to time by the Corporation/Active Party with respect to communications, the forms to be used and the procedures to be carried out with respect to the matters covered by this Agreement";

17: "This Agreement may be terminated by either party by giving three (3) months' notice in writing to the other party and may also be terminated by the Corporation/Active Party without notice if at any time, in the opinion of the Corporation/ Active Party, the Agent is in breach of any provision of this Agreement. Schedules "A", "B", "C", and "E" may be varied by the Corporation/Active Party at any time upon giving the Agent notice of such change."

The concerns of the Building Department were outlined in a letter to this Department dated 1986 November 19. A copy of their letter is attached as Appendix II.

The original Agreement was sent to Mr. Lou Sage, Chief Administrative Officer, and a meeting was subsequently held with City representatives as well as staff from C.M.H.C., including Branch Manager, Nancy Laver. During the course of the meeting it became very clear that C.M.H.C., as per their original letter attached with the Agreement, was not prepared to change one word of the Agreement. They did however indicate that they would send a letter clarifying some of our concerns, but this letter would not become part of the Agreement nor would any reference to the letter be made in the Agreement.

If the City does not agree to sign the Agreement in it's present format, it appears C.M.H.C. will endeavour to undertake the delivery of the Programme by their own staff. This of course would create a difficult situation for the City as there would be duplication and inconsistencies in the delivery of rehabilitation programmes. We must also point out that the Agency funds which the City receives for the delivery of the Programmes are considerable. In 1986 we received approximately $70,000.

...../3

Planning and Development
Committee

BACKGROUND continued

This recovery, however, will be substantially less in 1987 if we continue to act as Agent for C.M.H.C. because applicant eligibility for the Programme has been severely restricted; i.e. income levels. This was the subject of an earlier report to the Planning and Development Committee. This is a separate issue and will be a topic of a future report.

As the Committee is aware, the Department of Community Development is presently administering over twenty (20) Programmes, and these Programmes require inspections by the Building Department. It is therefore imperative that inspection requirements remain constant so that continuity can be maintained. If C.M.H.C. requires special inspection requirements, effective delivery will become impossible.

This Department is most reluctant to sign the Agreement in it's present format; however, we feel we have no other recourse if the City wants to continue to participate. The Department has contacted several other Delivery Agents across Canada including Sault Ste. Marie, Winnipeg and Saskatoon, and C.M.H.C. has taken the same position with all Agents: sign or get out. If there is an ulterior motive, one has, as yet, not surfaced.

If the City enters into this new Agreement, there will be no changes in our present processing procedures. If we subsequently receive direction from Canada Mortgage and Housing Corporation which increases the workload of either the Building Department or the Department of Community Development, the Planning and Development Committee will be so advised. The option of terminating the Agreement is always an alternative should delivery become economically or administratively impossible.

The Department of Community Development therefore recommends that the Mayor and City Clerk be directed to sign the Agency Agreement dated July 1986.

Hamilton Branch

P.O. Box 56
Suite 202
350 King St. E.
Hamilton, Ontario
L8N 3B1
(416) 572-2451
Toll Free Number: 1-800-263-8366

Nov 4/86
800-0100
772-02

October 30, 1986

The Corporation of the City of Hamilton
71 Main Street East
Hamilton, Ontario
L8N 3T4

ATTENTION: Mr. Lou Sage
Chief Administrative Officer

Dear Mr. Sage:

Re: Residential Rehabilitation Assistance Program

We appreciate the time that you and your staff spent with us on October 28 discussing this program and the need to enter into a new Agency Agreement. It was particularly useful for us to hear of the administrative complexities that your staff has experienced as our delivery agent in the past. Where possible, it is our intent to minimize the administrative complexities of the program to allow for efficient and effective RRAP delivery.

During the course of our meeting, we indicated that we are prepared to execute a new agreement when certain understandings have been reached. I believe that the following comments appropriately reflect our discussions on the issues that were brought up:-

REHABILITATION STANDARDS

The standards to be used for determining eligibility for RRAP funding are the CMHC "Standards for the Rehabilitation of Residential Buildings" (RRAP Standards). This does not preclude the City from ensuring that units are improved in accordance with municipal Maintenance and Occupancy Standards By-laws. However, items which may be required under municipal standards but which are not mandatory or eligible under the RRAP Standards are not eligible for RRAP funding. Similarly, items which are not required under the municipal standards but which are mandatory under the RRAP Standards must be undertaken, and are eligible for RRAP funding. Items which are not required under the municipal standards but which are eligible under the RRAP Standards may be undertaken at the option of the borrower, and are eligible for RRAP funding to the extent that the applicant can afford them.

We are currently undertaking a comparison of the RRAP Standards to the requirements of By-law 74-74, and shall let you know the results of our review within the next two weeks.

MONITORING INSPECTIONS:

In the past, the City has not been receptive to CMHC inspection of units prior to the completion of all rehabilitation work. Joint inspections at all stages of the rehabilitation process are required in order for CMHC to confirm the level of technical expertise of the Agent and to assess the degree of compliance with program guidelines. We require confirmation from the City that reasonable co-operation will be provided in arranging such inspections as and when requested.

PROGRAM REPRESENTATION:

We have on previous occasions been disappointed by the manner in which the program has been represented by the City of Hamilton. As an agent of this Corporation, it is expected that the program will be represented by the City in a factual and positive manner to both potential clients and the public in general. Where specific problem areas may arise, consultations with us are to take place to determine an agreed upon approach.

ADMINISTRATION AND DOCUMENTATION:

As in the past, we shall, at the local office level and as far as practicable, be flexible in the application of procedures and documentation requirements. Certain prescribed procedures and documentation are, however, necessary to satisfy legal, audit, and program monitoring requirements. It therefore is, and will be, necessary for this Corporation to insist on the use of certain forms and procedures.

VOLUME FORECASTING:

We have on previous occasions attempted to implement a system of regular forecasting of volumes. For various reasons that were discussed at our meeting, the City has been reluctant to do this. It was pointed out that we do not expect 100% accuracy in these forecasts - only the City's best estimate of what can be expected based on your knowledge of recent activity and historical trends. This information is used in assessing budget reallocations amongst our agents.

With respect to the agreement itself, your staff expressed concern with two specific clauses (7(B) and 17). We confirmed that we are not prepared to amend the wording contained in the agreement, but that we would be prepared to clarify the intent of these two clauses in a separate letter. Stan Neave shall be preparing a draft of such a letter and forwarding it to John Robinson for review and comment.

I am aware that during the course of our meeting, the City did not necessarily express agreement with all of the positions which have been outlined above.

01/27/87

However, these items do represent the understandings which must be agreed to by the City prior to execution of a new agreement. As you now have the opportunity to enter into a new agreement, we are hereby giving notification that the existing RRAP Agency Agreement dated August 27, 1980 between Canada Mortgage and Housing Corporation and the Corporation of the City of Hamilton will be terminated effective January 31, 1987. This notification is in accordance with Clause 15 of the said agreement.

Yours truly

Nancy Laver
Branch Manager

NL/SN/nd

Canada Mortgage and Housing Corporation
Société canadienne d'hypothèques et de logement

Hamilton Branch

P.O. Box 56
Suite 202
350 King St. E.
Hamilton, Ontario
L8N 3B1
(416) 572-2451
Toll Free Number: 1-800-263-8366

30 Sept '86
350-0100
763-0100
08-09-86

September 5, 1986

The Corporation of the City of Hamilton
71 Main Street West
Hamilton, Ontario
L8N 3T4

ATTENTION: Mr. Lou Sage
Chief Administrative Officer

Dear Mr. Sage:

Re: Residential Rehabilitation Assistance Program

As you are probably aware, this program was introduced in the City of Hamilton in 1974. Since that time the Federal Government, through Canada Mortgage and Housing Corporation, has contributed some $5.4 million to both homeowners and landlords to assist in the rehabilitation of residential properties. Under the terms of our agreement, the City of Hamilton has acted as an agent of this Corporation in the delivery of this program.

In late 1985, the Minister responsible for Canada Mortgage and Housing Corporation announced program changes. These changes were summarized in a letter to His Worship Mayor R. Morrow dated January 24, 1986, and the scope of these changes require that a new agency agreement be executed. A copy of the new agreement ~~is attached~~, which must be executed without change should you agree to continue as our agent.

A total of $673,000 has been allocated to your City in 1986 and I am sure we mutually agree that this should be fully utilized to the benefit of the community. You may be aware that we have had concerns regarding the performance of the City of Hamilton under our current and previous agreements and you would, of course, be aware that your Department of Community Development has expressed strong dissatisfaction with a number of our policies and procedures. For this reason, we would like to arrange a meeting with appropriate staff and elected officials to discuss and hopefully resolve our differences. We would also like to discuss the obligations and responsibilities of agents under the terms of the new agreement, assuming that Hamilton decides to continue as an agent of this Corporation.

Since time is of the essence to ensure full commitment of funds, we would ask that you give consideration to this matter as quickly as possible. Should you require any further background information, please let me know. Otherwise, we look forward to a meeting in the near future.

Yours truly

Nancy Laver
Branch Manager

NL/SN/nd

cc: His Worship Mayor R. Morrow

cc: Mr. E.W. Kowalski, Director, Department of Community Development

01/27/87

OFFICE OF THE BUILDING COMMISSIONER

REFER TO FILE

ATTENTION OF B.D. Allick

THE CORPORATION OF THE CITY OF HAMILTON

DEPARTMENT OF BUILDINGS

HAMILTON, ONTARIO

November 19th, 1986

Mr. E. Kowalski
Director
Department of Community Development

Attention: Mr. John Robinson

Dear Sir:

Re: Residential Rehabilitation Assistance Program
Operating Agreement

We have reviewed the new operating agreement with Canada Mortgage and Housing Corporation. We have also reviewed the R.R.A.P. Standards and would advise as follows:

The operation of funding by the Provincial and Federal levels of Government, have always been based upon the application of the Property Standards By-Law, in the City of Hamilton.

The entire administrative process of carrying out inspections pursuant to these financial programs is geared to the Property Standards By-Law and through that By-Law, the Ontario Building Code.

The implementation of the C.M.H.C. agreement, would necessitate a change in this administrative procedure, in that specific forms, inspection reporting, is expected to be done on forms supplied by C.M.H.C.

This would increase the administrative workload of the Building Department by duplication in certain areas.

cont'd....

The R.R.A.P. Standards referenced in the agreement would cause a change in the working agreement between the Fire Prevention Bureau and the Building Department, in that the R.R.A.P. Standards call up the necessity of upgrading fire separations and means of egress in existing buildings, things which are presently controlled by the recently enacted Fire Code, and in which our Property Standards By-Law specifically stays away from. R.R.A.P. Standards are only a recommended standard and are not enforceable. Working with these standards results in the production of shopping lists by loan applicants.

Further, that all requirements under these R.R.A.P. Standards are subject to review and checks of work in progress by C.M.H.C. Inspectors.

We have observed, during the required monitoring program, that this creates additional workloads for Inspectors in the field and because of the variances between the R.R.A.P. Standards, The Ontario Building Code and the Property Standards By-Law, this will cause many hours of negotiations, and agreements being reached to satisfy all parties concerned, and possibly resulting in disruption of payment to contractors. This may lead to an alientation of the established contractors from the loan program.

The R.R.A.P. Standards call up the National Building Code, which technically is not a referenced document in the Province of Ontario and while it is very similar to The Ontario Building Code, there are differences which would appear not to be recognized by C.M.H.C. Inspectors.

At all times, the Inspection Division would be subject to direction by C.M.H.C., and subject to the work carried out by the Inspection Division being approved by C.M.H.C. Inspectors.

It would appear that any additions or changes to work specifications must receive C.M.H.C.'s approval, which creates in itself, an additional step not presently carried out.

The application of R.R.A.P. Standards would require additional instructional time for Inspectors of the Inspection Division, in order to familiarize them with the requirements and application of R.R.A.P. Standards.

If this agreement is signed in its present form, with the terms and conditions indicated in the letter dated September 5th, 1986, and signed by Ms. Nancy Laver, Branch Manager of C.M.H.C., it would seriously affect the manpower application for the implementation of the loan program.

I would further advise, that members of the staff of the Inspection Division, have been instrumental over the years in working with C.M.H.C., advising C.M.H.C. in their educational programs and also instructing in C.M.H.C. educational programs.

cont'd....

It would appear that because of the political changes occurring in the administration of C.M.H.C., they are becoming insistent upon the use of C.M.H.C. Inspectors in delivery of their programs.

We would further remind you that Bill 51, to create an Act to Provide for the Regulation of Rents Charged for Rental Units in Residential Complexes, talks of creating a standard of occupancy, which would be Province wide and may conflict with the R.R.A.P. Standards.

This would put the property owners of the City of Hamilton, in a position of having to deal with a possible 3 sets of standards which would be in force in the City of Hamilton.

Because of the ineffectiveness of the present R.R.A.P. funding when compared to funding available from the Provincial Government, I would suggest that unless this agreement can be renegotiated to reflect our existing agreement with C.M.H.C., that we do not enter into such a restrictive, time consuming, and labour intensive program.

Yours very truly,

P. Kuppe, P. Eng.
Building Commissioner

BDA/sb

6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the grant to him:

(a) to pay municipal, realty and business taxes;
(b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
(c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
(d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
(e) to pay building permit application fee;
(f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
(g) to pay for the connection of all utilities to the premises;
(h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
(i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
(j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6.3 In consideration for the grant of the hereinbefore described land to the grantee, in addition to payment of the sale price to the grantor, the grantee covenants and agrees to and with the grantor:

1. That the grantee shall commence construction of a building, having a minimum building area of **10,000** square feet, upon the hereinbefore described land by not later than **September 9, 1987**

   Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

2. That the grantee shall complete construction of the said building not later than **September 9, 1988**

   The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

3. In the event that the grantee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the grantee covenants and agrees that the grantee shall sell the lands to The Corporation of the City of Hamilton, free and clear

Appendix "L" as referred to in Item 19. 3 of the Second Report for 1987 of the Planning and Development Committee.

of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the City, for the sale price herein, (without any interest) - less (a) the herein deposit; (b) the commission paid (if any) by the City to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.

6.5 The Purchaser agrees that the deed to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:

(a) to pay municipal, realty and business taxes;
(b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
(c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
(d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
(e) to pay building permit application fee;
(f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
(g) to pay for the connection of all utilities to the premises;
(h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
(i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
(j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

1. That the transferee shall commence the installation of equipment necessary for an asphalt hot-mix plant, upon the hereinbefore described land by not later than September 3rd, 1987.

   Construction is considered commenced when the foundations necessary for installation of the required equipment have been installed as determined by the Office of the Building Commissioner.

2. That the transferee shall complete construction of the said plant which shall be fully operating by not later than September 3, 1988.

   The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

3. That no transfer of the hereinbefore described land shall be made by the transferee until the Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.

Appendix "M" as referred to in Item 20 of the Second Report for 1987 of the Planning and Development Committee

4. In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the transferee covenants and agrees that the transferee shall sell the lands to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

5. The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said transferee.

6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.

6.5 The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

REPORT OF THE LEGISLATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its Second Report for 1987 and respectfully recommends:

1. That the following resolution from the City of Stoney Creek respecting tractor trailers be endorsed:

WHEREAS the Ontario Trucking Association in conjunction with large trucking companies, is petitioning the Provincial Government to allow truck trailers in the form of large double and triple tractor truck combinations on Highway 401 and other Ontario highways; and

WHEREAS this Council is deeply concerned over any increase in tractor trailer size over what is presently allowed for the following reasons:

(a) The larger the truck unit, the greater the risk to the environment, health and safety of the population at large due to collision, toxic spill, explosion, fire, etc.

(b) Allowing larger truck units on Highway 401 is only the beginning, as it would eventually spread to other highways through built-up areas.

(c) Council is already very aware and concerned about the potential hazards caused by truck traffic on the Q.E.W. through Stoney Creek and any other built-up areas.

(d) In wet weather, it is very hazardous for motorists following or trying to pass the double units presently on the highways, as windshield wipers are virtually useless in this situation when one must drive blind the length of the truck unit.

(e) The damage to public highways must be considered when a very large portion of maintenance of same comes from the motoring public at large.

NOW THEREFORE BE IT RESOLVED:

(i) That the Council of the City of Stoney Creek petition the Honourable Ed Fulton, Minister of Transportation and Communications, advising of its strong opposition to any legislative changes that would increase the risk factor to motorists using the public highways in Ontario, and requesting the Minister to fully investigate and assess the impact of larger tractor trailer combinations on Ontario highways based on the safety to motorists and the risk to the environment when considering such legislative changes.

(ii) That a copy of this resolution be sent to all municipalities in Southern Ontario with a population over 25,000, requesting that they forward their notification of support to the Minister of Transportation and Communications. Copies of this resolution are to be forwarded to:

. Hon. Ed. Fulton, Minister of Transportation and Communications
. Gordon H. Dean, M.P.P., Wentworth
. Bob MacKenzie, M.P.P., Hamilton East
. Lily Munro, M.P.P., Hamilton Centre
. A. Oakie, Hamilton Automobile Club
. Association of Municipalities of Ontario
. Federation of Canadian Municipalities

2. That the following resolution from the Town of Vaughan respecting An Act to Amend the Assessment Act regarding Amusement Rides **be endorsed:**

WHEREAS The Honourable R. Nixon, Minister of Revenue of the Province of Ontario introduced Bill 131 on July 10, 1986:

AND WHEREAS this proposed legislation will establish an exemption from taxation for rides in amusement parks including any machinery and equipment, rails, supports and trestles and the foundations on which they rest used in their operation;

AND WHEREAS the establishment and operation of amusement parks in Ontario municipalities results in demands for municipal services including roads, public transit, water and waste disposal and increased by-law enforcement and policing;

AND WHEREAS the Bill 131 proposes to provide grants to the affected municipalities equal to the loss in revenue for a period of three years at which time the grants would cease;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Town of Vaughan requests that the Minister of Revenue, The Honourable Robert Nixon to amend Bill 131 and to not exempt rides in amusement parks from taxation;

AND BE IT FURTHER RESOLVED THAT this resolution be forwarded to the Regional Municipality of York, the York Region Board of Education, The York Region Roman Catholic Separate School Board and all Municipalities in Ontario requesting their endorsement;

AND THAT The Honourable Gregory Sorbara, M.P.P., York North and The Honourable Donald Cousens, M.P.P., York Centre, be so advised.

CARRIED

MOVED by Councillor Cameron
seconded by Councillor Cipollone

THAT Staff be directed to take whatever steps are necessary to present a written or oral submission to the Standing Committee on General Government concerning the exemption of amusement rides from property and business taxes and that, if necessary, outside assistance be retained. **CARRIED**

3. That the following resolution from the Automotive Mayors' Caucus be endorsed:

WHEREAS the auto industry is of prime importance to the Canadian economy as this country's largest manufacturing sector and the source of livelihood for 1 out of every 7 Canadians; and

WHEREAS recent announcements of new assembly plants will result in a serious excess vehicle production capacity by 1990; and

WHEREAS Federal Government policy decisions regarding the Auto industry impact significantly, not only on the industry itself, but on individuals, municipalities, and the overall economy of this nation; and

WHEREAS it is in the national interest for the Federal Government to enact legislation and develop policies designed to ensure the future health of the Canadian Auto Industry;

THEREFORE BE IT RESOLVED that we, as representatives of the municipalities in large part dependent on the Auto industry, hereby call upon the Federal Government to:

(i) Require a minimum of 60% Canadian value added as a ratio of sales by all vehicle manufacturers in Canada.

(ii) Ensure that existing safeguards for employment and production contained in the Canada - United States Automotive products trade agreement, known as the Auto Pact, shall not be weakened, but indeed be improved.

(iii) Established equitable levels of imported vehicles allowed to enter Canada on an annual basis and ensure that offshore manufacturers be subject to the same rules as domestic manufacturers.

AND THAT WE seek an immediate meeting with the Right Honourable Brian Mulroney, Prime Minister, and the Honourable Pat Carney, Minister of International Trade.

*4. That smoking be prohibited at all meetings of City Council, its Standing Committees, Special Committees and Sub-Committees.

5. Approval of the actions of the Legislation Committee in permitting the India-Canada Society of Hamilton and Region to utilize the Council Chambers from 4:15 o'clock p.m. to 5:30 o'clock p.m. on Saturday, January 24, 1987 for the purpose of receiving the Indian Counsul-General and honouring Indian Republic Day in co-operation with the City of Hamilton.

6. That permission be granted to the Hamilton and District Women's Inter-Church Council to utilize the Council Chambers at 12:00 o'clock noon on Friday, March 6, 1987 and Room 219 from 11:30 o'clock a.m. to 2:00 o'clock p.m., in connection with their World Day of Prayer Service.

*Recorded vote, see Page

7. That permission be granted to the Lithuanian Canadian Community to fly the Lithuanian flag in front of City Hall on Sunday, February 8, 1987 and Friday, February 16, 1987 in commemorating Lithuanian's Independence.

8. That the following tax adjustments as recommended by the Tax Appeal Review Committee at its meeting held 1987 January 7 be approved:

	Amount (1) Prior Year 1986	(2) Year-to-Date 1987	(3) Tax Review Committee Jan. 7/87	(4) Total Year-to-Date 1987
Compassionate	$ 11,951.37	Nil	Nil	Nil

	(1) Prior Year 1986	(2) Year-to-Date 1987	(3) Tax Review Committee Jan. 7/87	(4) Total Year-to-Date 1987
Business	$1,850,468.26	Nil	94,773.89	94,773.89

	(1) Prior Year 1986	(2) Year-to-Date 1987	(3) Tax Review Committee Jan. 7/87	(4) Total Year-to-Date 1987
Realty	$ 466,873.64	Nil	18,926.58	18,926.58

Respectfully submitted,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

J. J. Schatz, Acting Secretary
Legislation Committee
1987 January 19

REPORT OF THE LEGISLATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **Third** Report for 1987 and respectfully recommends:

1. That the firm of M. I. Research Planning and Consulting, Toronto, Ontario be retained to work with the Commonwealth Games Committee and City Council in preparing and submitting the City's bid to host the 1994 Commonwealth Games in accordance with their submission dated January 19, 1987, as appended hereto as **Appendix "A"** at a cost not to exceed $23 000 for "fees" and $55 000 to $78 000 for "out of pocket expenses".

   NOTE: For the information of the members of City Counil, funds are available in Account 0370-0266 - "1994 Commonwealth Games Bid".

*2. That responsibility for the City of Hamilton bid to host the 1994 Commonwealth Games be transferred from the Legislative Committee to the Executive Committee.

Respectfully submitted,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

J. J. Schatz, Acting Secretary
1987 January 27

*Section 2 added during Council

Appendix "A"
01/27/87

Referred to in Section 1 of the **Third Report** of the Legislation Committee

M.I. Research, Planning and Consulting

123 John Street, Toronto, Ontario M5V 2E2
(416) 593-4222

January 19th 1987

Mayor Robert M. Morrow
City of Hamilton
71 Main Street West
HAMILTON, ONTARIO
L8N 3T4

Dear Mayor Morrow:

As requested, attached is a redraft of our proposal for submission to the appropriate Committees of City Council.

The proposal outlines the expected outcomes from this contract as follows:

i) A comment on Hamilton's readiness to proceed as a candidate.

ii) An analysis of Hamilton's strengths and weaknesses and an assessment of its chances.

iii) An outline of the bid strategy recommended through to November 20th.

iv) A description of all bid materials necessary through to November 20th.

v) The development and/or supervision of the formal submission to the Commonwealth Games Association in Canada on May 20th 1987.

Should your committee require additional services of our company after May 20th 1987, we can discuss the arrangement at that time.

In response to your request for a formal agreement, we ask that you sign a return copy of this letter as confirmation of approval and authority to proceed.

In reviewing the attached we draw your attention to the following:

1. Our proposed payment schedule spreads payment over each phase. While providing you with insurance of a completed product prior to total payment, it, at the same time, acknowledges the cash flow realities of the project.

2. While the total fee has remained the same, based on the additional information received, we have made minor revisions to dollar emphasis by phase.

3. In reply to your request for assignment responsibility, the document refers to "M.I.'s" responsibilities and not individuals within M.I. The principals within M.I. who will devote time interchangeably on each aspect of the project are:

   C. A. Letheren - Partner
   R. M. Mathieu - Partner
   L. McKeen - Associate

4. In further review of your request and coincident with No. 2 above, we have clarified our responsibilities spelling out our role to develop and/or supervise the development of the May 20th Submission Document.

Again, thank you for your request. We trust the attached and the above are satisfactorily definitive, and we look forward to working with you and your delegates over the next few months.

Sincerely,

Carol Anne

Carol Anne Letheren
Enc.

cc: Jack Pelech - Dennis Carson - Brian Conacher

AUTHORIZED TO PROCEED: _____

Robert M. Morrow

M.I. Research, Planning and Consulting

123 John Street, Toronto, Ontario M5V 2E2
(416) 593-4222

PROPOSAL TO

THE CITY OF HAMILTON

REGARDING

HAMILTON AS HOST CITY

TO THE

1994 COMMONWEALTH GAMES

JANUARY 1987

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* * * * *

I. BACKGROUND

The City of Hamilton intends to submit a proposal to the Commonwealth Games Federation in Canada, indicating its interest in becoming the Canadian City named to go forward as the Canadian candidate for the 1994 Commonwealth Games.

The City Council and members of the Committee appointed to examine the feasibility, requirements, costs and to prepare the bid material has requested that M.I. Research, Planning and Consulting submit a detailed proposal for their consideration and deliberation.

It is understood that a number of Canadian cities will be indicating similar interest. The deadline date for submission of briefs by each of the bidding cities is May 20, 1987, only 4 months away.

II. THE PROPOSAL

That M.I. Research, Planning and Consulting be retained by the City of Hamilton in this project, the ultimate intention of which is to have Hamilton named as the Canadian candidate city for the 1994 Commonwealth Games.

The project will include and consider:

1. Hamilton's readiness to proceed as a candidate.
2. Analysis of Hamilton's strengths and weaknesses and an assessment of its chances based on that analysis.
3. An outline of the bid strategy in detail.
4. A description of the necessary bid materials.
5. Development and supervision of the submission to the Commonwealth Federation May 20th.
6. An outline of the strategy and approach needed for the competitive process in Canada.

It is recommended that this project be undertaken in several Phases with an opportunity at the end of each Phase for reassessment by the City of Hamilton and a determination of whether it wishes to proceed with the next Phase.

III. METHODOLOGY

A. Phase 1

Development of the Background Information

Phase 1 is the development of the Background Document that examines, in detail, all the pros and cons for the City of Hamilton's possible bid to the Canadian Commonwealth Association.

During Phase 1, Hamilton's readiness and chances will be reviewed in detail. It will culminate in a listing of the problems (weaknesses) and opportunities (strengths) to be understood and dealt with should the City of Hamilton decide to proceed with the bid process.

There are many questions to be considered. Many of these were listed in our original submission and are appended to this document for further consideration. It is not an exhaustive list but rather suggestive of the direction and detail to be taken by the Background Document.

Many sources will be used to gather the information. All secondary material available will be collected and assessed. Personal interviews will be held with relevant individuals who can provide required information for full understanding of the implications and readiness of Hamilton.

Based on the above analysis, an objective(s) will be established that will determine:

- whether the City of Hamilton should proceed with the balance of the bidding process, and

- If the City decides to proceed under what terms of reference and what does it hope to accomplish with each stage of the bidding process

M.I. Research, Planning and Consulting will meet with the Committee and report on its progress at several points during this Phase. It is important

that the document be developed in concert with those in the City responsible for this project.

B. **Phase 2**

Development of a Decision Framework for the Bid Process

Given the City of Hamilton has determined it worthwhile to proceed and within the above, Phase 2 will develop a framework against which all future decisions relating to the bid process can be assessed. The Framework will become a management tool to be used during the bid process. It is divided into two parts:

Part 1 - A Statement of Philosophy

The Philosophy is a statement of the values inherent in the bid process and the event itself. The Philosophy should reflect the values of the City of Hamilton and the basic issues the City wishes to reflect through its bid.

Part 2 - Decision Criteria

Based on the above Philosophy, a set of standards, usually in question form, can be developed. Each program or proposition being considered for the bid process and strategy or the event itself will be examined against these criteria.

The decision framework will eliminate any ad hoc decisions and force a focus on the critical issues and those that will bring ultimate success.

C. **Phase 3**

Program Elements

Within the above analysis and Decision Framework, the Program Elements can be developed.

The Program Elements will include, by way of example only, some or all of the following:

- A graphic/logo/visual system
- A definition of the communication elements required (e.g. A Newsletter, etc.)
- Detailing of the Submission - its look, content, and layout
- Development and supervision of the May 20 submission to the Commonwealth Association in Canada
- A detailed description of the products, venues, facilities, etc.

The bid process is predominately a communications process with the communications elements becoming the key sales tools. As part of the definition of the Program Elements, such issues as the Public Relations/Publicity requirements for the project will be considered as well as the Promotional Tools recommended.

D. **Phase 4**

Management and Implementation Considerations for the Period May 20 to Nov. 20

This Phase will consider the following:

- a detailed costing of the recommended program elements for the period May 20 to Nov. 20

- a schedule of implementation for the recommended elements

- a recommended management structure to implement the recommended program elements

IV. STEP BY STEP OUTLINE FOR IMPLEMENTING THE PROJECT

ITEM DESCRIPTION	DEADLINE DATE	RESPONSIBILITY COSTS
Assuming agreement to proceed is given on January 26th the following details the implementation of each Phase described earlier in the document.		
Phase 1		
Development of a Table of Contents for the Background Document	January 27th	M.I.
Agreement of the Table of Contents as developed	Jan. 28	M.I. with City Council
Collection of data from secondary sources	Jan 28 to Feb. 10	M.I. with assistance from City officials in directing M.I. to any sources in their files
Development of questions to be asked during personal interviews	Jan. 30 to Feb 3	M.I. with input from City Council
Development of list to be interviewed	By Feb 3	M.I./City Council
Interviews Conducted	Feb. 3 - Feb 20	M.I.

Material analyzed	Feb. 13 Feb 28	M.I.
Background Document written	by. Mar 10	M.I.
Review of Backround Document	by Mar. 12	City Council
Development of Problems and Opportunities, Recommendations and Objectives	March 12 to Mar. Mar 15	M.I.
Review of the above material with the City Council	March 16	M.I. with City Council
Agreement to Proceed to the next Phase	March 16	City Council

TOTAL COSTS TO COMPLETE PHASE 1 TO THIS POINT $12,000

It is recommended that the $12,000 payable for Phase 1 be paid as follows:

- $4,000 upon agreement to proceed
- $4,000 when the first draft is presented for review
- $4,000 upon completion of Phase 1

Any additional costs to be incurred during Phase 1 would be out of pocket only (e.g. travel expenses, telephone

expenses particularly to conduct some of the personal interviews, etc.), are subject to prior approval and not expected to exceed $2,000.

Phase 2

Session with City Council regarding values and benefits to be derived from proceeding with the bid and the event itself	Mar 16	M.I. with City Council
Development of the Philosophy and Decision Criteria	Mar. 16-18	M.I.
Review of the above with City Council	Mar. 19	M.I./City Council
Agreement to proceed to the next step	Mar. 19	City Council

TOTAL COSTS TO COMPLETE PHASE 2 TO THIS POINT $3,000

The above payment of $3,000 would be payable upon completion of Phase 2.

Out of pocket for Phase 2 is not expected to exceed $200.00 and would be subject, again, to prior approval.

Phase 3

The Program Elements will be developed in two distinct and separate Parts.

Part i) will be the detailing of all Program Elements required to get the Committee to successful completion of all requirements for the May 20th submission to the Commonwealth Association.

Part ii) will be the detailing of all Program Elements necessary to get the Committee to successful completion of all requirements for the period May 20th to Nov. 20th.

Part i)

Define all necessary program elements generally and by public	Mar. 22	M.I.
Obtain City Council approval	Mar. 22	M.I./City Council
Detailed description of each element with attendant costs	Mar. 25	M.I.
Identify supplier groups where appropriate and necessary to deliver and implement required Program Elements	Mar. 25	M.I.
Contact supplier groups requesting submissions where appropriate and necessary	Mar. 25	

Review all details relative to supplier groups with City Council and receive approval to proceed with selected one	Mar. 26	M.I./City Council
Develop and/or supervise the development of all Program Elements necessary to submit a professional product to the Commonwealth Games Association by May 20th	May 15	M.I./City Council

Part ii)

Describe in detail all necessary Program Elements including strategic issues to take the bid process from May 20th to the vote on Nov. 20th	by May 15	M.I./City Council

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TOTAL COSTS TO COMPLETE PHASE 3 TO THIS POINT	**$6,000**

The fees would be payable as follows:

- **$3,000 on April 15th**

- $3,000 upon delivery of the final product

The out of pocket costs for this Phase are more extensive and are expected to range from $50,000 to $75,000. The costs would include:

- Visual identity system (logo and graphics)
- Architectural Fees where required for drawings and renderings
- Additional Consultants as required (e.g. Public Relations)
- Printing costs for Documents, etc.
- Translation of Final Submission
- Photography, etc.

In addition to the above, it is estimated that an additional amount of approximately $2,000 may be required for travel, etc. As before, such expenses are subject to prior approval.

Phase 4

Management and Implementation Considerations

Detailing of the costing of the recommended Program Elements, the management structure to implement it, and a schedule for the implementation	by May 15th	M.I.

TOTAL COSTS TO COMPLETE PHASE 4 TO THIS POINT $2,000

The $2,000 is fees only and is payable upon completion of Phase 4.

There are no anticipated out of pocket expenses for this Phase.

THE TOTAL COSTS FOR THE PROJECT ARE:

FEES	-	$23,000
OUT OF POCKET	-	$55,000 - $78,000 (Estimated)

Competition

1. Which other cities are expected to be competing with Hamilton in Canada for the candidate city status?

2. What are the strengths and weaknesses of each of the above cities? How do they each compare with Hamilton?

3. Which cities will be competing with the Canadian named city internationally?

4. What are the strengths and weaknesses of each of the above cities?

5. What other events in Canada, (both sport and non-sport), could be expected to be competitive with Canada's bid and potentially Hamilton's bid?

6. Based on the information above, what are the City of Hamilton's chances of firstly succeeding in Canada and secondly, succeeding internationally?

Facilities

7. What facilities are required for:

- the competitive program,
- the demonstration sports,
- the Arts program,
- accomodation/meals for athletes, officials, the media and visitors,
- media

8. Which facilities does the City of Hamilton have in place? Which ones will need to be built? Which ones are available in the neighbouring cities?

9. Once all facilities are addressed, how compact would the Games be if hosted by Hamilton? By each of its competitors?

Finances

10. What are the anticipated capital costs? Operating costs?

11. What are the realistic sources of revenue? By source and amount?

12. Is the City of Hamilton prepared to and equipped to handle any occurring deficit?

Other Services

13. Does Hamilton have or can it develop the infrastructure and support systems required to host this event?

    Hotels?
    Transportation?
    Security?
    Medical?
    etc.

Management

14. What are the "people" resources required to stage the Commonwealth Games?

15. Does the City of Hamilton have the human resources generally and by sport?

Benefits

16. What benefits will the City of Hamilton derive from:

    - the bid process in Canada
    - the bid process internationally
    - the event itself?

17. Do the benefits at each stage in the process merit continued pursuit/involvement?

18. What legacies will be derived from each stage in the process? Are they beneficial to the City?

19. How do the bid process and the event fit into the City of Hamilton's long range plans for its growth, development and image?

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its SECOND Report for 1987 and respectfully recommends:

1. Approval of Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to 1987 January 9, as set out on the list attached hereto as Schedule "A".

Respectfully submitted,

ALDERMAN M. KISS, CHAIRMAN,
PERSONNEL COMMITTEE.

E. A. Simpson, Secretary,
1987 January 21.

SCHEDULE "A"

Referred to in Section 1 of the Second Report of the Personnel Committee.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Marilyn Coy	Accounting Clerk	Central Garage Division of Public Works	additional staff as approved	A-5	$415.14 per week	87/01/05
Mrs. Wendy Crevier	Traffic Checker	Traffic	replacing Reginald Hackett - retired	B-3	$375.12 per week	86/12/29
Mrs. Colleen Cullen	Stenographer II	Fire	returning to previous position as per employee's request	E-4	$377.25 per week	87/01/02
Mr. William Dupont	Junior Inspection Clerk	Building	replacing Beverly Canzi - L.T.D.	A-4	$388.94 per week	86/12/29
Mrs. Patricia Empey	Stenographer III	Purchasing Div. of Treasury	returning to former position -was replacing Mrs. Colleen Cullen	E-3	$359.81 per week	87/01/02
Mr. William Ferguson	Traffic Planning Technologist	Traffic	returning to perm. position (temp. promotion ended)	A-12	$634.86 per week	86/12/31
Mr. Charles Guthro	Foreman II (Mechanical Repairs) (P.M.)	Central Garage Division of Public Works	replacing Mr. Robert McKinney - transferred	12D	$29627.00 per annum	87/01/05

Prepared 1987 January 09

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Roland Karl	Traffic Planning Engineer	Traffic	replacing Mr. Edward Gill - resigned	118	$40491.36 per annum	86/12/31
Mr. Kenneth Kiernan	Chief Fire Prevention Officer	Fire	replacing Mr. Gordon Millar - retired	C-11A	$46885.33 per annum	87/01/01
Ms. Sharon Lucking	Stenographer IV	Central Garage Division of Public Works	replacing Ms. Debbie Myers - promoted	E-2	$312.39 per week	86/12/22
Miss Sandra McMurrich	Stenographer III	Treasury	replacing Ms. Debbie Marsh - promoted	E-3	$345.16 per week	87/01/02
Mrs. Karen Sauer	Program Organizer	Culture and Recreation	replacing Ms. Wendy Lockhart - promoted	A-7	$429.73 per week	87/01/05
Ms. Allane Thomas	Typist Clerk II	Treasury	replacing Ms. Debbie Marsh - promoted	E-2	$312.39 per week	86/12/22

Prepared 1987 January 09

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Alan Metham	Firefighter I	Fire	retired	31 years & 2 months	86/12/31

Prepared 1987 January 09

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Salvatore Capostagno	Foreman III (Districts)(temp.)	Public Works	additional staff as approved	13C	$25614.16 per annum	87/01/05
Mr. Lawrence Cowles	Assistant Maintenance Supervisor (sick relief)	Culture and Recreation	replacing Mr. Gary Cowles - L.T.D.	115A	$33209.28 per annum	86/12/08
Mr. Robert Pyne	Foreman III (Districts)(temp.)	Public Works	additional staff as approved	13C	$25614.16 per annum	87/01/05
Mr. Stan Taylor	Foreman III (Districts)(temp.)	Public Works	additional staff as approved	13C	$25614.16 per annum	87/01/05
Mr. Patrick Tompkins	Foreman III (Districts)(temp.)	Public Works	additional staff as approved	13C	$25614.16 per annum	87/01/04
Mr. Roger Yanke	Foreman III (Districts)(temp.)	Public Works	additional staff as approved	13C	$25614.16 per annum	87/01/05

Prepared 1987 January 09

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE

NO TEMPORARY TERMINATIONS TO REPORT AT THIS TIME

Prepared 1987 January 09

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Finance Committee presents its **FIRST** Report for 1987 and respectfully recommends:

1. That the cost recovery for Data Processing Services provided to the Region be on the basis of "actual cost" recovery effective 1987 January 1, and that the Region be advised accordingly.

   NOTE: It is estimated that the value of Data Processing Services provided to the Region will be in the order of $855 000 for 1987 compared with an estimated recovery of $380 000 for 1986.

2. That the Treasurer be authorized to make application to hire two students under the Involvement in Municipal Administration Program - 1987 for an 18-week period commencing April 27, 1987 and terminating August 28, 1987.

3. That the Treasurer be authorized to make an application to hire a trainee under the Ontario Municipal Training Program, 1987 on a contact basis for a two-year period commencing June 29, 1987 and expiring June 30, 1989.

4. That the prelevy residential and non-residential mill rates for 1987 be established at figures slightly below 50% of the 1986 respective mill rates as follows:

   (a) That a real property tax prelevy mill rate of 127 mills be established for 1987 to be billed in two installments of 63.5 mills each, payable February 27th and March 31st, 1987. This prelevy rate represents 49.885% of the 1986 residential mill rate.

   (b) That a business tax prelevy mill rate of 149 mills be established for 1987 to be billed in one installment, payable February 27th, 1987. This prelevy rate represents 49.747% of the 1986 non-residential mill rate.

5. That a non-metered water and sewer surcharge prelevy, be established on behalf of the Regional Municipality of Hamilton-Wentworth, based on approximately 50% of the 1986 charge, to be billed in two equal installments, payable February 27th and March 31st, 1987.

6. (a) That a By-law be prepared to authorize the borrowing of monies to pay off bank overdrafts for 1987, as and when they arise for current expenditures to a maximum of $3 000 000.

   (b) That the Mayor and Treasurer be authorized to sign in advance the necessary promissory notes to be held with the Canadian Imperial Bank of Commerce, Hamilton Branch, and be discounted only as required.

7. That outstanding business taxes, in the amount of $12 390.41, be written-off in accordance with Section 495 of the Municipal Act, R.S.O. 1980 and charged to Account 0220, Tax Write-Offs.

   NOTE: Detailed information respecting these write-offs may be obtained by contacting the Secretary of the Finance Committee or the Treasurer.

8. That the current rate of 12.67% of pensionable earnings for employer contributions for HMRF firefighters be reverted back to 6.81%, effective January 1, 1986 due to a better position in the acturial valuation.

   NOTE: Due to increases in benefits, the Fire portion of the HMRF was in a deficit position at December 31, 1981. It was recommended and approved in March 1983 that, effective January 1, 1984, the employer portion of contributions be increased to 12.67% of contributory earnings from the then rate of 6.81%.

   The City's actuaries have advised that the surplus in the Fire portion of the HMRF is sufficient at December 31, 1985 to decrease the employer rate of contributions to 6.81 for the years 1986 and 1987.

9. That the Medical benefits, including O.H.I.P., E.H.C. Prescription Drug and Dental Coverage be extended until age 65 for the remaining four members of HMRF "Others" retiring before age 65 and after completion of 35 years of contributory service to be consistant with the other groups of HMRF members who received this benefit.

10. That a payment to the Ontario Municipal Employees Retirement System of $2 088 420 be made as of December 31, 1986 for the transfer of HMRF "Others" to OMERS, based on the fifteen year amortization schedule.

    NOTE: Council approved the transfer of HMRF "Others" to OMERS at its meeting of December 10, 1985 (By-law 86-40). The payment of $2 088 420 represents the first of fifteen annual payments to the Ontario Municipal Employees Retirement System, based on the amortization of the past service liability of the HMRF "Others".

    In addition, an "equalization" payment will be required in the first quarter of 1987.

11. That approval be given for an overdraft in Account 0373-1001, "Civic Pins, Medals and Rings" to purchase civic championship rings for the Tiger Cat Football Club.

    NOTE: The estimated amount not to exceed $18 561.

12. (a) That a purchase order be issued to G.C. Duke Equipment Ltd., Burlington in the amount of $37,813.80 including applicable taxes for the complete overhaul of High Ranger Unit #9623 for Central Garage.

    NOTE: Only acceptable repair shop for High Ranger Equipment. Funds provided in Depreciation Account #0280-01.

    (b) That a purchase order be issued to Walter's Welding Ltd., Hamilton, in the amount of $12,390 for construction of Exterior Guard Railings in the Hamilton Place/Art Gallery Plaza in accordance with specifications issued by the Director of Purchasing and Vendor's quotation.

    NOTE: Lowest of two (2) quotations received. Funds provided $8,100 in Repairs and Maintenance, Grounds, Account #0333-0432 and $4,290 in Repairs and Maintenance, Buildings, Account #0333-0433.

    (c) That a purchase order be issued to Barber Ellis Fine Papers, Hamilton for the supply and delivery of Fine Paper to various Departments, as and when required during 1987, in accordance with Co-operative specifications issued by the Co-ordinator, Regional Purchasing and Vendor's tender.

    NOTE: Lowest of two (2) tenders received. Funds provided in various Departments' budgets for Fine Paper.

(d) That a purchase order be issued to Tatra Shoe Manufacturing Inc., Dunnville, for the supply and delivery of Safety Shoes and Boots for Purchasing Stores, as and when required during 1987, in accordance with specifications issued by the Director of Purchasing and Vendor's tender, as follows:

- Terra Kraton Safety Shoes or equivalent - $29/pair
- 6" Kaufman Safety Boots or equivalent - 34/pair
- 8" Insulated Safety Boots - 43.50/pair
- 8" Kaufman Safety Boots or equivalent - 36/pair

Provincial Sales tax extra at 7%

NOTE: Lowest acceptable of seven (7) tenders received. Funds provided in Purchasing Stores Inventory Account #0395-1023.

(e) i. That Item 2, section (q) of the Twenty-fourth Report of the Finance Committee adopted by City Council at its meeting of 1986 December 9 respecting the issuing of purchase orders forthe replacement of six (6) tractor loaders for the Central Garage, be rescinded.

ii. That purchase orders be issued for the replacement of Six (6) Tractor Loaders for Central Garage in accordance with specifications issued by the Director of Purchasing and Vendors' tenders, as follows:

a) O'NEILS FARM EQUIPMENT, BINBROOK

In the amount of $67,902.20 including applicable taxes for the supply and delivery of Five (5) Tractor Loaders.

NOTE: Lowest acceptable of seven (7) tenders received. Funds provided in Depreciation Account #0280-01.

b) BRYAN'S FARM & INDUSTRIAL, PUSLINCH

In the amount of $15,052.76 including applicable taxes for the supply and delivery of One (1) Tractor Loader.

NOTE: Lowest acceptable of seven (7) tenders received. Funds provided in Depreciation Account #0280-01.

(f) That a purchase order be issued to PHA Industries Ltd., Division Wyant & Company Limited, Scarborough, for the supply and delivery of Janitorial Paper Products, Purchasing Stores, as and when required during 1987, in accordance with specifications issued by the Director of Purchasing and Vendor's tender, at the following prices:

- Singlefold paper towels	$15.40/case
- Multifold paper towels	14.87/case
- Interfold toilet tissue	37.95/case
- Roll toilet tissue	36.45/case
- Roll paper towels	21.15/case

Provincial sales tax extra at 7%.

NOTE: Lowest of seven (7) tenders received. Funds provided in Inventory Account 0395-1023.

(g) That a purchase order be issued to Shell Canada Products Limited, Don Mills for the supply and delivery of Gasoline and Diesel Fuel as and when required to various locations to November 30, 1988, in accordance with specifications issued by the Director of Purchasing and Vendor's proposal, at the following prices:

- Leaded Regular Gasoline	.3450 per litre/Post Tank Wagon Price
- Unleaded Gasoline	.3660 per litre/Post Tank Wagon Price
- Diesel Fuel #2	.3330 per litre/Post Tank Wagon Price

Above prices include excise tax. Prices firm for thirty (30) days and are subject to any increase in taxes during that period.

NOTE: Lowest of three (3) proposals received. Funds provided in various accounts.

13. (a) That the City of Hamilton enter into a lease with the Ministry of the Environment for an air monitoring station on the roof of the City owned building at 74 Hughson Street South, commencing January 1, 1987 at a monthly rental of $50 (plus taxes if applicable) to be paid in quarterly installments of $150.

(b) That the City Solicitor be authorized to prepare the lease.

(c) That the Mayor and City Clerk be authorized and directed to execute the lease agreement.

14. (a) That the Human Resources Centre utilize the Board Room of 74 Hughson Street South - Health Department building; for City-Regional staff training, on an interim basis.

(b) That upon the relocation of the Health Department Inspection Division into the I.B.M. Building sometime in April of 1987, the Human Resources Centre Staff Training Facility will be permanently located in part of the aforementioned vacated space.

15. (a) That the Real Estate Department be appointed as Official Co-ordinator for all Municipal space procurement and utilization, in order to properly co-ordinate all Civic Department space requirements.

(b) That Regional Council be requested to consider appointing the Real Estate Department as co-ordinator of all Regional space procurements and utilization, in order to avoid duplication of services.

(c) That, Failing item (b) above, the Region be requested to consider appointing a designate to co-ordinate all space requirements with the Real Estate Department.

16. (a) That approval be given for the Hamilton/Scourge Project to occupy the former media room located on the mezzanine level of City Hall upon the completion of the renovations to the Aldermen's Offices on the second floor and the occupation of the former Aldermen's Offices located along the eastern wall by the media.

(b) That the City Architect and Property Maintenance Superintendent be authorized to carry out the removal of partitions and associated works to accommodate the move.

17. (a) That subject to the approval of the Football Hall of Fame and Museum Committee, that the City of Hamilton renew the lease with the Hamilton Municipal Employees' Credit Union Limited at 50 Jackson Street West for a period of five (5) years commencing November 2, 1986 and terminating November 1, 1991.

(b) That the City Solicitor be authorized to prepare a new lease agreement incorporating the following terms and conditions:

i. Rental

5 000 square feet at $9.50 per square foot calculates to be $47 500 per annum, payable at the reduced rate of $2 850 per month from November 1st, 1986 to January 31st, 1987 inclusive, and thereafter on the 2nd day of each succeeding month for the duration of the proposed lease, the sum of $3 958.33 per month.

ii. Covenants

The Landlord covenants with the tenant as follows:

(1) To pay all realty taxes and rates levied against the premises or the landlord on account thereof subject to paragraph iv.(1) and (2).

(2) To maintain the premises in good repair - foundations, outer walls, roof, all common areas, plumbing, sewage, electrical and heating-air except those areas relating to tenant improvements.

(3) To provide sufficient heating and air conditioning.

(4) To provide janitorial service in a manner carried out in the remainder of the building.

(5) To provide hydro electrical service and to pay all rates and charges subject to paragraph iv.(1) and (2).

iii. The Tenant covenants with the Landlord as follows:

(1) To pay rent.

(2) To pay all business taxes applicable to the area hereby leased to the tenant.

(3) To pay all costs attributable to tenant improvements.

(4) Not to assign or sublet without the written consent of the Landlord.

(5) Not to make alterations to said premises without prior written consent of the Landlord.

iv. (1) In addition to rent paid by the Credit Union, they are responsible for their proportionate share of the increase in operating costs over the base year 1986.

(2) All amounts payable shall be deemed to be additional rent.

(c) Option for Renewal Clause:

The landlord hereby grants to the tenant the option to renew this lease for a further term of five years, commencing November 2, 1991, provided that in order to exercise its option the tenant shall be required to give to the landlord notice thereof in writing not less than six months before the date of expiry of the term of this lease, and if the tenant shall have paid the rent hereby reserved, and observed and performed the covenants and agreements herein to be performed by the tenant up to the date of expiration of this term, the landlord shall execute and deliver to the tenant a renewal of this lease for a further term of five years. The rent payable by the tenant for renewal period shall be negotiated by both parties upon receiving the notice by the tenant to renew.

18. (a) That the claims of Guiseppe Paolucci and the City against Stephen Copeland be settled in the amount of $684.33 inclusive of interest and costs, to be paid to the City.

NOTE: On June 7, 1984 Mr. Paolucci, a City employee at the time, was struck on the right leg by a golf ball hit by Stephen Copeland.

After deduction of the City's expenses there will be a surplus of $535.08 which must be paid to Mr. Paolucci pursuant to the provisions of The Workers' Compensation Act, R.S.O. 1980, Chapter 539 and Mr. Paolucci's Application, therefore, is attached.

Said surplus remains as a credit to the City and must be deducted from the amount of any further compensation or other benefits to which Mr. Paolucci may become entitled to from the Workers' Compensation Board with respect to this accident.

(b) That the claim of Betulia D'Agostino against the City be settled in the amount of $2 000 inclusive of interest and costs.

NOTE: Mrs. D'Argostino fell on October 27, 1985 on a City sidewalk at the south east corner of Hughson and Augusta Streets injuring her right foot. She commenced action against the City on January 14, 1986 claiming damage of $9 500 plus interest and costs. It is recommended that her claim be settled in the amount of $2 000.

*19. That the Chairman of the Finance Committee, the Mayor and the City Treasurer meet with officials of the Provincial and Federal governments for the purpose of requesting an increase in the amounts of unconditional grants from the Province and payments in lieu of taxes from the Provincial and Federal governments.

*Section 19 referred back

20. (a) That the Offer to Purchase the H.S.R. property submitted by Re-Vest Financial Ltd. and 546636 Ontario Ltd. not be accepted and that the Offers and cheques accompanying the Offers be returned forthwith together with an expression of thanks for the interest shown in the purchase of the site.

(b) That the Director of Real Estate be authorized and directed to commence immediate action to dispose of the H.S.R. property at 18 Wentworth Street North on the basis of a public proposal call, subject to the appropriate zoning being in place and subject to the H.S.R. maintaining their right to occupy the premises until their new quarters is ready for occupancy.

(c) That the City Solicitor and Director of Real Estate be authorized and directed to take the necessary steps to resolving the question of who is the appropriate and legal vendor in this case.

NOTE: Previously forwarded to the Members of City Council were copies of a Private and Confidential Report dated 1987 January 15 from the Director of Real Estate respecting this matter.

Additional copies are available from the Secretary.

21. That leave be granted to introduce the following bill:

(a) G-1 By-law to Amend By-law No. 81-217 Respecting Destruction of Treasury Department Records

(b) G-2 By-law to authorize the borrowing of monies to pay off bank overdrafts for 1987.

*22. That the user fee for the purchase of a bus pass for Senior Citizens (Aged 70 and over) be increased by $2.50 per annum, from $25.00 to $27.50 annually effective for the renewal of passes 1987 April 1.

*Section 22 added during Council

**23. That the user fee for a Group "B" monthly adult bus pass ($24.00) or $.60 per ticket be increased as follows:

(a) effective July 1, 1987 from $24.00 to $30.00 per mont per pass and from $.60 to $.80 per ticket.

(b) effective January 1, 1988 from $30.00 per month per pass and $.80 per ticket to regular adult fare.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO, CHAIRMAN
FINANCE COMMITTEE

Mrs. Lori Peddle
Acting Secretary

1987 January 20

**Section 23 added during Council
Recorded vote, see Page 90

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its **SECOND** Report for 1987 and respectfully recommends:

1. That the application of Joseph M. Vanderheyden, 6 Peacock Place, Hamilton, for a taxicab owner's plate from the Taxicab Priority List be denied.

   NOTE: For the information of Members of City Council:

   Mr. Vanderheyden was notified on November 26, 1987 and again on December 18, 1986 that the City was issuing 12 new taxicab owner's plates from the Taxicab Priority List and that he should provide the Licence Administrator, within 30 days of notification, with (a) a properly completed application; (b) a copy of his T4 showing taxi industry earnings for the years 1984 and 1985, or (c) a certified copy of his Income Tax Returns. Mr. Vanderheyden failed to notify us, however, at the meeting of the City of Hamilton Licensing Committee, held January 8, 1987, representation was made by Mr. Vanderheyden's former solicitor, who was appearing before the committee on another matter. Mr. Vanderheyden's solicitor indicated the whereabouts of his client was unknown and that he was "somewhere out west". A decision was made to table the item pending a legal opinion from the City Solicitor.

   At the Committee's meeting of January 22, 1987, the matter was again reviewed. Mr. Vanderheyden's solicitor again made representation. After discussion by members of the Committee, it was recommended that this application be denied because of the applicant's failure to comply with the above requirements as set out in Licence By-law 79-323, Schedule 4, Part 5.

*2. That the application of Stewart McCollum for a Taxicab Owner's Plate from the Taxicab Priority List be denied

   NOTE: For information of Members of City Council:

   The Licence Administrator attempted to contact Mr. McCollum at his last known address on November 26, 1986. An attempt was also made to contact his last employers/associates in the Taxi Industry with no success. Following the 30-day notification period as outlined in the By-law, members of the Committee recommended at their meeting held January 8, 1987 that Mr. McCollum's name be removed from the list.

*Section 2 referred back

3. That the application of Neil Harris for a Taxicab Owner's Plate from the Taxicab Priority List be denied.

NOTE: For information of Members of City Council:

The Licence Administrator attempted to contact Mr. Harris at his last known address on November 26, 1986. An attempt was also made to contact his last employers/associates in the Taxi Industry with no success. Following the 30-day notification period as outlined in the By-law, members of the Committee recommended at their meeting held January 22, 1987 that Mr. Harris's name be removed from the list.

Respectfully submitted,

ALDERMAN P. VALERIANO
CHAIRMAN

S. J. Dembe, Secretary
January 23, 1987

REPORT OF THE NOMINATING COMMITTEE
TO RECOMMEND THE APPROVAL OF THE FOLLOWING APPOINTMENTS
TO THE FOLLOWING BOARD AND COMMITTEES

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Nominating Committee presents its FIRST Report for the year 1987 and respectfully recommends the appointment of the following:

(A) PROPERTY STANDARDS COMMITTEE — TERM OF OFFICE

Mr. Murray Thompson,
52 Indian Crescent,
Hamilton, Ontario
L8V 4X5 — December 31, 1989

NOTE: This appointment was recommended by the Executive Committee.

(B) PUBLIC LIBRARY BOARD — TERM OF OFFICE

Mrs. Mary Dow,
558 Mountain Brow Boulevard,
Hamilton, Ontario
L8T 1A9 — Balance of three year term to November 30, 1988.

NOTE: This appointment was recommended by the Executive Committee.

(C) HAMILTON HYDRO ELECTRIC COMMISSION — TERM OF OFFICE

Mr. K. M. Edge,
7 Blake Street,
Hamilton, Ontario
L8M 2S3 — November 30, 1988

NOTE: Mr. K. M. Edge was recommended by the Executive Committee. However, Mr. W. Stetson was nominated at the Committee Meeting and, as a result of a vote, Mr. K. M. Edge was elected.

Respectfully submitted,

MAYOR R. M. MORROW,
CHAIRMAN.

January 27, 1987.

MEETING OF HAMILTON CITY COUNCIL
THURSDAY, JANUARY 29, 1987
1:00 O'CLOCK, P.M.

Special meeting of City Council called at the direction of His Worship Mayor Robert M. Morrow.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross.

The Clerk read the notice calling the meeting.

* *

Council met in Committee of the Whole to review the Budget Packages for the 1987 Current Budget.

* *

The Council approved of the adjustments to the 1987 requirements as set out in Exhibit I.

* *

Recorded vote on the grant to McMaster University which was part of the adjustments.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Murray, Ross. - 15.

NAYS: Alderman Merling. - 1. CARRIED.

* *

The Council reviewed the packages and took the following action:

PACKAGE	DEPARTMENT	COUNCIL ACTION
*1	Fire	Original amount $317,750.00 reduced by 50%.

*Recorded vote.

YEAS: Mayor Morrow; Aldermen Agro, McCulloch, Valeriano, Copps, Collins, Wheeler, Smith, Cowell, Gallagher, Murray, Ross. - 12.

NAYS: Aldermen Cooke, Kiss, Hinkley, Christopherson, Merling. - 5. CARRIED.

* *

PACKAGE	DEPARTMENT	COUNCIL ACTION
2	Parks	Approved.
	* *	
3	Property & Maintenance	Approved.
	* *	
4	Public Works	Approved.
	* *	
5	Parks	Approved.
	* *	
6	Property & Maintenance	Approved.
	* *	
7	Culture & Recreation	Approved.
	* *	
8	Clerks	Approved.
	* *	
9	Public Works	Not Approved.
	* *	
10	Parks	Approved.
	* *	
11	Parks	Approved.
	* *	
12	Public Works	Approved.
	* *	

PACKAGE	DEPARTMENT	COUNCIL ACTION
13	Culture & Recreation	Approved.

* *

14	Parks	Approved.

* *

*15	Treasury	*Not Approved. Reconsidered and approved.

*Recorded vote.

YEAS: Aldermen McCulloch, Valeriano, Christopherson, Collins, Smith, Cowell, Gallagher, Ross. - 8.

NAYS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Hinkley, Copps, Wheeler, Merling, Murray. - 9. LOST.

* *

16	Hamilton Housing Co. Limited	Approved.

* *

17	Treasury	Approved.

* *

18	Legislative	Approved.

* *

19	Treasury	Approved.

* *

20	Parking Authority	Approved.

* *

21	Property & Maintenance	Approved.

* *

PACKAGE	DEPARTMENT	COUNCIL ACTION
22	Parks	Approved.
23	Treasury	Approved.
24	Public Works	Approved.
25	Culture & Recreation	Approved.
26	Treasury	Package amended. Package provided for 3 Programmers, 2 Systems Analysts. Council approved 1 Programmer, 1 Systems Analyst.
27	Public Works	Approved.
*28	Executive Committee	Approved.

* *

*Recorded Vote.

YEAS: Mayor Morrow; Aldermen McCulloch, Hinkley, Collins, Wheeler, Smith, Gallagher, Murray, Ross. - 9.

NAYS: Aldermen Cooke, Kiss, Agro, Valeriano, Copps, Christopherson, Cowell, Merling. - 8. CARRIED.

* *

*29	Property & Maintenance	Approved.

*Recorded Vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 16.

NAYS: Alderman Copps. - 1. CARRIED.

* *

PACKAGE	DEPARTMENT	COUNCIL ACTION
30	Parks	Approved.
	* *	
31	Legislative	Approved.
	* *	
32	Culture & Recreation	Approved.
	* *	
33	Treasury	Approved.
	* *	
*34	Community Development	Approved.

*Recorded vote.

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Hinkley, Christopherson, Collins, Smith, Gallagher, Merling, Murray, Ross. - 11.

NAYS: Aldermen Kiss, Valeriano, Copps, Wheeler, Cowell. 5.
CARRIED.

	* *	
35	Traffic	Approved.
	* *	
36	Treasury	Approved.
	* *	
37	H.E.C.F.I.	Approved.
	* *	
38	Culture & Recreation	Approved.
	* *	

PACKAGE	DEPARTMENT	COUNCIL ACTION
39	Property & Maintenance	Approved.

* *

40	Culture & Recreation	Approved.

* *

41	Culture & Recreation	Approved.

* *

42	Legislative	Not Approved.

* *

*43	Legislative	Approved.

*Recorded vote.

YEAS: Mayor Morrow; Aldermen Agro, McCulloch, Hinkley, Christopherson, Collins, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 12.

NAYS: Aldermen Cooke, Kiss, Valeriano, Copps, Wheeler. - 5.
CARRIED.

* *

*44	Human Resources Centre	Not Approved.

*Recorded vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Hinkley, Christopherson, Collins, Smith. - 7.

NAYS: Aldermen Agro, McCulloch, Valeriano, Copps, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 10. LOST.

* *

45	Parks	Approved.

* *

PACKAGE	DEPARTMENT	COUNCIL ACTION
46	Parks	Approved.

* *

47	Culture & Recreation	Approved.

* *

*48	H.E.C.F.I.	Approved.

*Recorded vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 15.

NAYS: Alderman Copps. - 1. CARRIED.

* *

49	Parks	Original package $45,000.00. Amount approved $20,000.00.

* *

*50	Executive Committee	Not Approved.

*Recorded vote.

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Collins, Cowell, Gallagher, Murray, Ross. - 8.

NAYS: Aldermen Kiss, Agro, Valeriano, Hinkley, Copps, Christopherson, Wheeler, Smith, Merling. - 9. LOST.

* *

51	Fire	Approved.

* *

52	Cemetery	Approved.

* *

53	Executive Committee	Not Approved.

* *

PACKAGE	DEPARTMENT	COUNCIL ACTION
54	Parks	Approved.
55	Culture & Recreation	Approved.
56	Traffic	Approved.
57	Parks	Approved.
58	Architect's	Approved.
59	H.E.C.F.I.	Approved.
60	Culture & Recreation	Approved.
61	Treasury	Original package provided for 2 additional staff members. Only 1 approved (Support Services Technician).
62	Clerks	Original package $11,900.00. Amount approved $5,400.00 to provide handicapped door openers.
63	Public Works	Not Approved.

PACKAGE	DEPARTMENT	COUNCIL ACTION
64	Clerks	Approved.
65	Building	Approved.
66	Parks	Approved.
67	Culture & Recreation	Not Approved.
68	Culture & Recreation	Approved.
69	Treasury	Not Approved.
70	Public Works	Approved.
71	Culture & Recreation	Approved.
72	Parks	Approved.
73	Culture & Recreation	This package to be financed out of Reserve Fund.
74	Building	Approved.

PACKAGE	DEPARTMENT	COUNCIL ACTION
75	Treasury	Original package $34,490.00 for 1 Systems Programmer. Amount authorized $16,500.00.

* *

*76	Culture & Recreation	Approved.

*Recorded vote.

YEAS: Aldermen Cooke, McCulloch, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Smith, Gallagher, Merling, Murray, Ross. - 12.

NAYS: Mayor Morrow; Aldermen Agro, Copps, Cowell. - 4. CARRIED.

* *

77	Cemetery	This package to be financed out of Reserve Fund.

* *

78	Treasury	Approved.

* *

79	Parks	Not Approved.

* *

80	Culture & Recreation	Approved.

* *

81	Parking Authority	This package to be financed by Parking Authority.

* *

82	Culture & Recreation	Not Approved.

* *

83	Culture & Recreation	Not Approved.

* *

PACKAGE	DEPARTMENT	COUNCIL ACTION
*84	Clerks	This package provides for 2 Legislative Assistants II and 1 Steno II. Not Approved.

*Recorded vote.

YEAS: Aldermen Cooke, Valeriano, Hinkley, Wheeler, Gallagher, Murray. - 6.

NAYS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Copps, Christopherson, Collins, Smith, Cowell, Merling, Ross. - 11. LOST.

* *

*84	Clerks	Resolution re 1 Legislative Assistant II and 1 Steno II. Not Approved.

*Recorded vote.

YEAS: Aldermen Cooke, Christopherson, Collins, Cowell, Gallagher, Merling, Murray, Ross. - 8.

NAYS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Wheeler, Smith. - 9. LOST.

* *

*84	Clerks	Resolution re 1 Legislative Assistant II. Approved.

*Recorded vote.

YEAS: Aldermen Cooke, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Gallagher, Merling, Murray, Ross. - 10.

NAYS: Mayor Morrow; Aldermen Kiss, Agro, McCulloch, Copps, Smith, Cowell. - 7. CARRIED.

* *

85	Purchasing	Not Approved.

* *

86	Traffic	Approved.

* *

87	Culture & Recreation	Not Approved.

* *

PACKAGE	DEPARTMENT	COUNCIL ACTION
88	Culture & Recreation	Approved.
89	Parks	Not Approved.
90	H.E.C.F.I.	Approved.
91	Treasury	Not Approved.
92	Traffic	Not Approved.
93	Parks	Original package $20,000.00. Amount approved $10,000.00.
94	Library	Not Approved.
95	Culture & Recreation	Not Approved.
96	Parks	Not Approved.
97	Treasury	Not Approved.
98	Culture & Recreation	Not Approved.

PACKAGE	DEPARTMENT	COUNCIL ACTION
99	Culture & Recreation	Not Approved.

* *

*100	Scourge	Approved.

*Recorded vote.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 16.

NAYS: Alderman Wheeler. - 1. CARRIED.

* *

101	Planning	Not Approved.

* *

102	Building	Not Approved.

* *

103	Culture & Recreation	Not Approved.

* *

104	Executive Committee	Not Approved.

* *

105	Culture & Recreation	Not Approved.

* *

106	Parks	Not Approved.

* *

107	Treasury	Not Approved.

* *

108	Culture & Recreation	Not Approved.

* *

PACKAGE	DEPARTMENT	COUNCIL ACTION
109	Culture & Recreation	Not Approved.
110	Clerks	Not Approved.
111	Building	Not Approved.
112	Fire	Not Approved.
113	Library	Original package $25,370.00. Amount approved $15,000.00.

* *

As a result of the adjustments made in the packages the percentage increase in expenditures was reduced from 7.3% over 1986 expenditures, to 6.2%.

The following motion was then put:

"It was moved by Alderman Cooke and seconded by Alderman McCulloch.

RESOLVED: that the increase in the 1987 mill rate, which has been reduced from 7.3% to 6.2%, be further reduced to not more than 5.9%, and that the decrease be achieved by directing Department Heads to do the necessary cutting from their own operating budgets. -

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Valeriano, Hinkley, Collins, Smith, Gallagher, Merling, Murray, Ross. - 12.

NAYS: Aldermen Kiss, Copps, Christopherson, Wheeler, Cowell. - 5. CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that leave be granted to introduce the following Bill:

A-4 CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bill be now read a first time:

A-4 CARRIED.

* *

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bill, with Mayor Morrow in the chair.

A-4 CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of the Whole (second reading) on the Bill be adopted. - CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bill be now read a third time.

A-4 CARRIED.

* *

NOTICE OF MOTION

Alderman Cooke gave notice that he would move the following Notice of Motion at the next regular meeting of City Council:

"RESOLVED: that City Council revert to using the Zero Base process for the 1988 budget year."

* *

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, FEBRUARY 10, 1987
5:00 O'CLOCK, P.M.

Special meeting of City Council called at the direction of His Worship Mayor Robert M. Morrow.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Ross.

The Clerk read the notice calling the meeting.

* *

Council met in Committee of the Whole to review the current Estimates for the year 1987.

* *

The Council reviewed the Summary of the 1987 Service/Programme Packages Funded after Review and Adjustments by City Council at its Meeting Held January 29, 1987, and took the following action.

* *

PACKAGES	DEPARTMENT	COUNCIL ACTION
1-11	-----	Approved.

* *

12	Public Works	Approved with starting date for three man garbage crew amended from January 1, 1987 to April 1, 1987, and with the appropriation to be adjusted accordingly. Notwithstanding this approval City Council requested the Transport and Environment Committee to review the need for this additional staff.

* *

13-27	-----	Approved.

* *

It was moved by Alderman Valeriano and seconded by Alderman Cooke.

RESOLVED: that the 1987 Budget estimates be reduced by $250,000. as set out in Treasurer's Report dated February 5, 1987 - Schedule I. - CARRIED.

* *

It was moved by Alderman Cooke and seconded by Alderman Valeriano.

RESOLVED: that the 1987 Mill Rate increase be approved at a maximum of 5.6% over the 1986 for City purposes, and that the detailed revenues and expenditures be prepared by the Treasurer for formal ratification at a subsequent City Council meeting. - CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that leave be granted to introduce the following Bill:

A-5 CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bill be now read a first time:

A-5 CARRIED.

* *

It was moved by AldermanWheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bill, with Alderman G. Copps in the chair.

A-5 CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of the Whole (second reading) on the Bill be adopted. - CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bill be now read a third time:

A-5 CARRIED.

* *

City Council adjourned at 7:15 o'clock, p.m.

* *

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, FEBRUARY 10, 1987
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Ross.

Father Robert Dunn, Our Lady of Lourdes Roman Catholic Church, led the Council in prayer.

His Worship Mayor Robert M. Morrow called the meeting to order.

The minutes o fthe meetings of January 27, 1987 and January 29, 1987, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Letter dated February 2, 1987, from Dr. S. V. Subramanian, Vice-President, India-Canada Society, Hamilton andRegion, re appointment of race relations co-ordinator in the City of Hamilton.

2. Application from Mrs. Eileen Jaremy, 101 Beechwood Avenue, Hamilton, Ontario, for a modification to "C" District regulations for property located at 101 Beechwood Avenue, dated January 30, 1987.

3. Application from 512313 Ontario Limited, 1030 Upper James Street, Hamilton, Ontario, for a change in zoning, property located at 1709 Upper James Street, dated February 10, 1987.

4. Letter and petition from Mr. Robert Van Kleef, President of Van Kleef & Son Limited, re issuance of Taxi Owner's Licence to Mr. Peter Kotuziak, dated February 9, 1987.

5. Letter from Mr. Dominic Agostino, Constituency Assistant to The Honourable Lily Munro, re Private Legislation to regulate Flea Markets in the City of Hamilton, dated February 10, 1987.

* *

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman G. Copps in the chair.

* *

(A) EXECUTIVE COMMITTEE - THIRD REPORT.

It was moved by Alderman McCulloch and seconded by Alderman Collins.

RESOLVED: that the following be added as Section 11:

"11. That Mr. J. Cousens of J. F. Hickling Management Consultants be retained at a fee not to exceed $2,000.00, to conduct a general review of the management structure of the Culture and Recreation Department and its organizational relationship with the Parks and Recreation Citizen's Advisory Sub-Committee, the Parks and Recreation Committee, and the Executive Committee of City Council.

NOTE: It is estimated that this study will take three (3) days to complete and will be complimentary to the Operational Review now in progress using the consulting services of Bill Kriesel from the Ministry of Tourism and Recreation." -

CARRIED.

* *

It was moved by Alderman Kiss and seconded by Alderman Wheeler.

RESOLVED: that Section 11 be tabled. -

YEAS: Aldermen Kiss, Copps, Christopherson, Wheeler. - 4.

NAYS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Valeriano, Hinkley, Collins, Smith, Cowell, Gallagher, Ross. - 11. LOST.

* *

Recorded vote on Section 11.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Ross. - 13.

NAYS: Aldermen Kiss, Copps. - 2. CARRIED.

* *

It was moved by Alderman McCulloch and seconded by Alderman Collins.

RESOLVED: that the following be added as Section 12:

"12. That the increased cost of $67,160.00 from $404,000.00 to $471,160.00 for the Kenilworth Library renovations be financed from the reserve for Library Capital Projects, Account No. 0280-43." - CARRIED.

* *

It was moved by Alderman Ross and seconded by Alderman McCulloch.

RESOLVED: that Section 12 be tabled. - CARRIED.

* *

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - THIRD REPORT.

Recorded vote on Section 10.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Ross. - 13.

NAYS: Alderman Copps. - 1. CARRIED.

* *

It was moved by Alderman Collins and seconded by Alderman McCulloch.

RESOLVED: that Section 17 be referred back. - CARRIED.

* *

(C) PARKS AND RECREATION COMMITTEE - THIRD REPORT.

* *

(D) PLANNING AND DEVELOPMENT COMMITTEE - THIRD REPORT.

It was moved by Alderman Smith and seconded by Alderman Wheeler.

RESOLVED: that Section 6 be referred back. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Wheeler, Smith, Cowell, Ross. - 12.

NAYS: Alderman Collins. - 1. CARRIED.

* *

It was moved by Alderman Hinkley and seconded by Alderman McCulloch.

RESOLVED: that Section 9 be tabled for ninety (90) days. - CARRIED.

* *

It was moved by Alderman Ross and seconded by Alderman Gallagher.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the issuance of a Demolition Permit for 800 Upper Paradise Road. - CARRIED.

* *

It was moved by Alderman Ross and seconded by Alderman Gallagher.

RESOLVED: that the following be added as Section 17:

"17. That the Building Commissioner be authorized to issue a demolition permit for the demolition of the residential building at 800 Upper Paradise Road." - CARRIED.

* *

(E) LEGISLATION COMMITTEE - FOURTH REPORT.

It was moved by Alderman Ross and seconded by Alderman McCulloch.

RESOLVED: that Section 1 be referred back and that the correspondence from Turkstra, Mazza, dated February 10, 1987, be referred to the Legislation Committee. - CARRIED.

* *

It was moved by Alderman Hinkley and seconded by Alderman Agro.

RESOLVED: that Section 2 be referred back. - CARRIED.

* *

(F) PERSONNEL COMMITTEE - THIRD REPORT.

* *

(G) FINANCE COMMITTEE - SECOND REPORT.

Recorded vote on Section 2.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Ross. - 14.

NAYS: Alderman Kiss. - 1. CARRIED.

* *

It was moved by Mayor Morrow and seconded by Alderman Ross.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting Banking Centres. - CARRIED.

* *

It was moved by Mayor Morrow and seconded by Alderman Ross.

RESOLVED: that the following be added as Section 6.

"6. That the Council of The Corporation of the City of Hamilton endorse the position taken by the Regional Municipality of Hamilton-Wentworth, the City of Toronto, and the Hamilton and District Chamber of Commerce, in opposing the initiative by the Government of Canada which would designate Montreal and Vancouver as International Banking Centres, and advise the Federal Government accordingly. - CARRIED.

* *

NOTICES OF MOTION

It was moved by Alderman Cooke and seconded by Alderman Cowell.

RESOLVED: that City Council revert to using either the Zero Base or Comprehensive Auditing process for the 1988 budget year, and that the matter be referred to the Finance Committee for a final recommendation within thirty (30) days. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Valeriano, Hinkley, Copps, Christopherson, Collins, Smith, Cowell, Gallagher, Ross. - 12.

NAYS: Alderman Wheeler. - 1. CARRIED.

* *

It was moved by Alderman Collins and seconded by Alderman Wheeler.

RESOLVED: that the City of Hamilton Procedural By-law 82-203 be amended by deleting Subsection (3) of Section 5 which requires City Council to adjourn its meetings at 11:00 o'clock, p.m. -

YEAS: Aldermen Cooke, Kiss, Valeriano, Hinkley, Collins, Wheeler, Smith, Cowell, Gallagher, Ross. - 10.

NAYS: Mayor Morrow; Aldermen Copps, Christopherson. - 3. CARRIED.

* *

His Worship Mayor Robert M. Morrow gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

RESOLVED: that City Council give consideration to the establishment of the position of Race Relations Co-Ordinator.

* *

Alderman Hinkley gave notice that he would move the following Notice of Motion at the next regular meeting of City Council.

RESOLVED: that City Council discuss its action with respect to amending Bill P.R. 34 respecting a change in the composition of the H.E.C.F.I. Board.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of the Whole on the above reports as amended, and resolutions, be adopted. - CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a first time:

A-6
B-6, B-7
D-13, D-14, D-15, D-16, D-17
E-4 - CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman G. Copps in the chair.

A-6
B-6, B-7,
D-13, D-14, D-15, D-16, D-17
E-4 - CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of the Whole (second reading) on the Bills be adopted. - CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a third time.

A-6
B-6, B-7
D-13, D-14, D-15, D-16, D-17
E-4 - CARRIED.

* *

City Council adjourned at 9.35 o'clock, p.m.

* *

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Executive Committee presents its THIRD Report for 1987 and respectfully recommends:

1. (a) That the Council of the Corporation of the City of Hamilton support the Hamilton Public Library Board in its request for an exemption to Ontario Retail Sales Tax on manufacturing (in-house printing) on the basis that the public libraries are educational institutions as are universities and schools who are exempt.

   (b) That a copy of this resolution be forwarded to the Association of Municipalities of Ontario with a request that A.M.O. make representation to the Province of Ontario - Ministry of Revenue for the exemption of public libraries.

   NOTE: As a result of a recent municipal sales tax audit, the Hamilton Public Library has been required to adjust its Advertising and Publicity and printing accounts to accommodate a projected $10 000 expenditure in 1987.

   The Hamilton Public Library Board has written to the Ontario Library Association requesting that it make representation to the Provincial Government, seeking an exemption for public libraries similar to that of universities and schools. In addition, the Library Board has requested adoption of the foregoing resolution.

2. That an amount of $4 000 be made available as the City's contribution in hosting the 1987 Ontario Municipal Recreation Association Conference scheduled for May 20, 21, 22 and 23, 1987 and further that this amount be charged to account number 0370-0263 "Hosting of Conferences with Municipal Subject Content".

   NOTE: Approximately 350 delegates in addition to spouses from across the Province will be attending this conference.

3. That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to construct an alleyway in the block bounded by Rosslyn Avenue, Roxborough Avenue, Kensington Avenue and Cannon Street at an estimated cost of owner's share of $14 981.28, as well as the City's share of $17 018.72, by the issuance of debentures totalling $32 000 for a period not to exceed 15 years, and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of $32 000 for a term not to exceed 15 years for the above project.

   NOTE: With the adoption of Section 13 of the First Report of the Transport and Environment Committee, City Council, at its meeting held January 13, 1987, approved this project and requested the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

4. That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to construct an alleyway first north of Main Street running from Carrick Avenue to Spadina Avenue at an estimated cost of owner's share of $4 496.98, as well as the City's share of $14 503.02, by the issuance of debentures totalling $19 000 for a period not to exceed 15 years, and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of $19 000 for a term not to exceed 15 years for the above project.

   NOTE: With the adoption of Section 14 of the Second Report of the Transport and Environment Committee, City Council, at its meeting held January 27, 1987, approved this project and requested the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

5. That the City's cost of services in Guildwood Extension of $145 000 be financed from the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12.

   NOTE: With the adoption of Section 19 of the Second Report of the Transport and Environment Committee, City Council, at its meeting held January 27, 1987, approved this project and requested the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

6. That the gross cost of $6 904 for services in Randall Estates Plan of Subdivision Phase 5 be financed from the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12.

   NOTE: With the adoption of Section 21 of the Second Report of the Transport and Environment Committee, City Council, at its meeting held January 27, 1987, approved this project and requested the Executive Committee to recommend the amount and source of funds to be provided for this Capital Project.

7. That the City's share of the expenses for the relocation of the Human Resources Centre to the IBM building in the gross amount of $51 000 be financed from the Reserve for Capital Projects, Account No. 0280-27.

8. That the Corporation of the City of Hamilton advise the Assessment Division of the Ministry of Revenue that it has no objections to the Hamilton-Wentworth Region having access to and use of Property Sales Lists stored by the Ministry of Revenue of the Province of Ontario.

   NOTE: With the adoption of Item 7 of Economic Development and Planning Committee Report 20-86, Region Council requested the area municipalities to grant permission to access and use these records.

9. (a) That the appropriation in the 1987 portion of the 1987-1991 Capital Budget for the construction of the 825 space parking structure on York Boulevard and MacNab Street be increased by $600 000 from $6.6 million to $7.2 million

   (b) That the increased cost of $600 000 be financed by the issuance of debentures for a period not to exceed 15 years, recoverable from the City of Hamilton Reserve for Off-Street Parking, created by section 208, sub-section 55(e) of the Municipal Act, and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue additional debentures in the amount of $600 000 for a term not to exceed 15 years

   (c) That the City Solicitor be authorized to make application to the Ontario Municipal Board for the increased cost of $600 000.

10. That leave be granted to introduce the following Bill:

Bill A-6 A By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

*11. That Mr. J. Cousens of J. F. Hickling Management Consultants be retained at a fee not to exceed $2 000., to conduct a general review of the management structure of the Culture and Recreation Department and its organizational relationship with the Parks and Recreation Citizens Advisory Sub-Committee, of the Parks and Recreation Committee and the Executive Committee of City Council.

Note: It is estimated that this study will take three (3) days to complete and will be complementary to the Operation Review now in progress using the consulting services of Bill Kriesel from the Ministry of Tourism and Recreation.

**12. That the increased cost of $67 160., from $404 000., to $471 160., for the Kenilworth Library renovations be financed from the reserve for Library Capital Projects, Account No. 0280-43.

RESPECTFULLY SUBMITTED,

ALDERMAN WM. M. MCCULLOCH,
ACTING CHAIRMAN EXECUTIVE COMMITTEE

J. J. Schatz, Secretary
Executive Committee

1987 February 05

*Section 11 added during Council
Recorded Votes, See Page 241

**Section 12 added during Council
Section 12 tabled

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Transport and Environment Committee presents its **THIRD** Report for 1987 and respectfully recommends:

1. That a purchase order be issued to Flex-O-Lite of Canada, St. Thomas for the supply and delivery of Drop-on Roadway Marking Glass Beads as and when required by the Traffic Department during 1987, at a cost of .2875 per lb., Provincial Sales tax extra at 7%, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

   NOTE: Only tender received. Funds provided in Stock Materials, Pavement Markings Account #0394-3324.

2. (a) That a "No Parking, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Burlington Street East, commencing at a point 115 feet east of Catharine Street North and extending to a point 40 feet easterly therefrom; and

   (b) That the City Traffic By-law 66-100 be amended accordingly.

3. (a) That the existing residential boulevard parking agreement between the City and Ruth Joyce Helm, registered as Instrument No. 390581 C.D. to the property at No. 91 East 11th Street be discharged; and

   (b) That the City Solicitor be directed to prepare the necessary documents in relation to the discharge of this agreement.

4. (a) That the existing "No Parking Anytime" regulation on the south side of Redbury Street between Rangeview Court and Upper Ottawa Street be removed to allow unrestricted free parking; and

   (b) That the City Traffic By-law 66-100 be amended accordingly.

5. (a) That a second school traffic officer be assigned to Mohawk Road East in front of Our Lady of Lourdes School, for the morning and evening crossing periods only; and

(b) That the Director of Public Works be requested to give special attention to the removal of snow from the island and sidewalks on Mohawk Road, in the area of this school crossing; and

(c) That the amount of $4 150 be added to the 1987 budget estimates to finance a second school traffic officer at this location.

6. (a) That the direction of stop control at the intersection of Grenfell Street and Benson Avenue be switched, such that eastbound and westbound traffic on Grenfell Street is required to stop for northbound and southbound traffic on Benson Avenue; and

(b) That the City Traffic By-law 66-100 be amended accordingly.

7. (a) That the "Ontario Marketing Productions Limited" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from September 21, 1987 to September 27, 1987, subject to the policy guidelines and conditions approved by Council on October 29, 1985 and September 30, 1986, with the following message:

"Hamilton Home Improvement Show - September 24-27, 1987 Hamilton Convention Centre".

(b) That the "St. Joseph's Hospital Building Campaign" be permitted to display a promotional banner across Main Street West, in front of City Hall, from May 11, 1987 to May 18, 1987, subject to the policy guidelines and conditions approved by Council on October 29, 1985 and September 30, 1986, with the following message:

"St. Joseph's Hospital Presents The First Annual Country in the City".

8. That the City Solicitor be authorized and directed to prepare a By-law to incorporate that portion of Block "DX" Plan M-119 into Leggett Crescent as shown in heavy outline on Regional Municipality of Hamilton-Wentworth Plan to illustrate RA-H-364.

9. That the Commissioner of Transportation be authorized and directed to advise C. P. Rail that their proposal to construct a timber pedestrian bridge at Poulette Street on behalf of the T.H.& B. Railway as shown on Railway Plan B-1-3896-1, dated November 10, 1986, is satisfactory.

*10. (a) That the Ministry of the Environment be informed that the City of Hamilton has no objections to the amendments requested for the Certificate of Approval No. A130120, issued to Philip Enterprises Inc., to permit the company to increase the rate at which iron oxides are being received at the company's facility, from 200 tonnes/day to 400 tonnes/day, for a period lasting until March 10, 1987, subject, however, to the company meeting the criteria of the Ministry of the Environment.

(b) That future requests for similar extensions or revisions to Certificates of Approval in the City of Hamilton be submitted to the Transport and Environment Committee by the Ministry as information and for comments.

11. That the application of Mario A. Bartolini, Solicitor, on behalf of the present owner(s) of 1014 Barton Street East, John Paisley, President and owner of Freezeway Limited, to retain the following inadvertent encroachments on Rosslyn Avenue:

(a) one storey brick building, 0.04m by 3.96m;

(b) asphalt paving and guard rails, 2.27m by 39.5m

be approved during the pleasure of City Council, provided:

i. The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

ii. That a first year fee of $125 and subsequent annual fee of $20 be set for this privilege.

iii. That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

12. (a) That the submitted schedules for the estimated cost of services in "Brigadoon Village Extension", approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and

(b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and

(c) In the event that the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing; and

*Recorded Vote, See Page 242

(d) That the City Subdivision Agreement include the necessary provisions which would require the Developer to establish Maintenance Easements in all locations as required by the Zoning By-law and Council policy.

NOTE: Clause 5(1b) of the Sixteenth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1986 August 26, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owner of these lands is Ward Campbell (Starward Homes).

13. (a) That the following changes be made in the maximum charges per metre of frontage for Local Improvements:

	Maximum Charge Per Metre of Frontage	
Item	From	To
a) Curbs Only	$ 40.00	$ 40.00
b) Sidewalks Only	$ 61.00	$ 64.00
c) Sidewalks and independent curbs or combined sidewalks and curbs	$ 72.00	$ 85.00
d) Roadway Only	$167.00	$185.00
e) Alleys	$ 59.00	$ 70.00
f) Roadway and Curbs Only (Industrial Subdivisions)	$190.00	$229.00

(b) That the City Solicitor be authorized and directed to amend the Local Improvement By-law.

14. That the City Solicitor be authorized and directed to discharge the easement agreement between Squiresgate Enterprises Limited and the City being Instrument No. 62592 L.T. dated August 12, 1977.

15. That the present requirements with respect to areaways as stipulated in the Streets By-law No. 9329 be maintained.

NOTE: Downtown Action Plan construction that was undertaken in 1984 and 1985, disclosed numerous areaways below existing sidewalks unbeknown to staff. Because of the need to fill in these openings quickly to avoid damage to the existing buildings and to restore the sidewalks to a safe condition, the City filled in these areaways as they were found. Subsequent efforts to recover the costs have been very time consuming.

To prevent the problems encountered in 1984 and 1985, staff will by letter in January 1987 notify owners/occupants of properties within Phase V, of the proposed 1987 constructions. Staff will inform them that in accordance with the by-law, areaways on the road allowance, regardless of when they were constructed, are the responsibility of the present owner, and they may either fill it in at their own expense or retain the areaway by executing or renewing an appropriate agreement.

16. That Mr. Craig Dowhaniuk of 140 Robinson Street, Apt. 1804, Hamilton, represent the Hamilton-Wentworth Roman Catholic Separate School Board on the Transport and Environment Committee in an advisory capacity only.

*17. (a) That the Director of Public Works be authorized and directed to realign and relocate the driveways and driveway approach ramps in front of Nos. 7 and 11 King's Court such that there will be no need for vehicles to pass over or park on the triangular portion of road allowance where the driveways overlap.

(b) That the cost of carrying out these improvements be borne by the City of Hamilton.

(c) That the Finance Committee be requested to recommend the method of financing the cost of this expenditure.

NOTE: At its meeting held 1987 February 2, the Transport and Environment Committee directed the Director of Public Works to prepare an estimate of cost for Council's consideration.

18. (a) That the policy be established in Hamilton that Business Watch signs be installed only at the request of active Business Improvement Area organizations; and

(b) That the cost of erecting and maintaining Business Watch signs be borne by the Business Improvement Area organization; and

(c) That Business Watch signs for the Ottawa Street North Business Improvement Association be erected and maintained by the City Traffic Department upon request; and

(d) That the cost of erecting and maintaining the signs be recovered from the Ottawa Street Business Improvement Association (initial cost estimated at approximately $800).

*Section 17 Referred Back

19. That leave be granted to introduce the following bills:

(a) B-6 By-law to amend By-law 66-100 to Regulate Traffic

(b) B-7 By-law to amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

ALDERMAN G. COPPS, ACTING CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

John Thompson
Acting Secretary

1987 February 02

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **THIRD** Report for 1987 and respectfully recommends:

1. (a) That the City Solicitor be authorized and directed to prepare a lease in favour of Scott-MacDonald Ltd. for the use of municipal lands in the area of Picton Street, consisting of 4.4934 acres of land and water designated as Part 4 on a Plan of Expropriation registered as Instrument No. 280084CD in the Land Registry Office for the Registry Division of Wentworth.

   (b) That the term of the lease be one year commencing December 1, 1986 and the monthly rental be $1 000 with the lessee Scott-MacDonald Ltd. to pay all operating costs and business and realty taxes; (taxes are estimated to be $5 300 in 1987).

   (c) That a provision be included in the lease to acknowledge that its execution will be without prejudice to any rights of Scott-MacDonald Ltd. to claim compensation pursuant to the expropriation of the lands of Samuel and Sheridan Lax.

2. That approval be given to demolish the City owned parkhouse located within Sackville Hill Park at 770 Upper Wentworth Street.

   NOTE: The cost of demolition estimated to be $3 000 to be charged to Account No. 0364-9819 (Work Done for Others).

3. That $14 000 be transferred from Account No. 0364-0560 (Dogs Running at Large in Parks (H.S.P.C.A. Control) under the jurisdiction of the Public Works Department to Account No. 0370-2050 (H.S.P.C.A. Services).

   NOTE: For the information of the members of City Council, this will allow the Hamilton S.P.C.A. to take responsibility for the total budget for Dog Control to achieve greater compliance to City of Hamilton By-laws.

4. Approval of the action of the Director of Culture and Recreation in authorizing the Berrisfield Community Council to include in their Winterfest Program a snow mobile for rides in Bobby Kerr Park on Saturday, January 31, 1987. It should be noted that the Community Council has advised of public liability insurance coverage for the event, adding the City of Hamilton as named insured.

   NOTE: For the information of the members of City Council, it should be noted that Parks By-law 77-221 prohibits this use of a City park without City Council's approval.

5. That the Portuguese Association of St. Michael the Archangel be granted permission to sell food and drink in the Dundurn Park Pavilion on the occasion of the Annual Festival of the Holy Spirit June 12, 13 and 14 subject to the terms and conditions as set out by the Director of Culture and Recreation and as agreed upon by the Portuguese Association.

NOTE: For the information of the members of City Council, it should be noted that Parks By-law 77-221 prohibits the sale of food and drink without City Council's approval.

Respectfully submitted,

ALDERMAN T. MURRAY, CHAIRMAN
PARKS AND RECREATION COMMITTEE

L. Peddle, Acting Secretary
1987 February 3

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **THIRD** Report for 1987 and respectfully recommends:

1. That approval be given to Zoning Application 86-104, Lorraine and Graham Manning, owners, for a modification to the existing "D" (Urban Protected Residential, One and Two Family Dwellings, etc.) District regulations for property at No. 196 Grant Avenue, as shown on the attached map marked as **APPENDIX "A"**, on the following basis:

   i) That the "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:

      (a) That notwithstanding Section 10(1) of By-law No. 6593 the existing building may be used for the manufacture of stuffed toys, animals, doll clothes, etc.

      (b) That a wall sign advertising the business having an area of not more than 0.4 m^2, non illuminated or illuminated by non-flashing, indirect, or interior means only shall be permitted.

   ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1006, and that the subject lands on Zoning District Map E-14 be notated S-1006;

   iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-14;

   iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for a modification to the existing "D: (Urban Protected Residential - One and Two Family Dwellings, etc.) District regulations for property at No. 196 Grant Avenue as shown on the attached map.

The effect of the By-law is to permit the existing building located to be used for the manufacture of stuffed toys, animals, doll clothes, etc.

In addition, the By-law provides for a wall sign advertising the business having an area of not more than 0.4 m^2 non-illuminated or illuminated by non-flashing, indirect, or interior means only.

2. That approval be given to Zoning Application 86-108, Janet Unsworth, owner, requesting a further modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District to permit the expansion of existing law office to the basement and second floor of the subject building, for the property located at No. 14 Duke Street, as shown on the attached map marked as **APPENDIX "B"**, on the following basis:

   i) That the "E-1" (Multiple Dwellings, Lodges and Clubs, etc.) District regulations as contained in Section 11A of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variance as a special requirement:

      a) That notwithstanding Section 11A(1) the basement and second floor of the existing building may be converted and used for law offices.

   ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-704a, and that the subject lands as Zoning District Map W-5 be notated as S-704a;

   iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-5; and,

   iv) That the proposed change in zoning is in conformity with the City of Hamilton Official Plan.

   v) That the Durand Neighbourhood Plan be amended by redesignating the subject lands from "Medium Density Apartments" to "Commercial and Apartments".

EXPLANATORY NOTE:

The purpose of the By-law is to provide for a further modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District for the property located at No. 14 Duke Street, as shown on the attached map marked as **APPENDIX "B"**.

The effect of the By-law is to permit the expansion of the existing law office to the basement and second floor of the subject building.

3. A. That approval be given to Official Plan Amendment No. 47 which creates a Special Policy Area to permit a building containing less than 100 apartment units to have a maximum of 929 m^2 of commercial floor space for the property located at the southwest corner of Bell Manor Street and Barton Street East and the City Solicitor be directed to prepare a By-law to adopt this Official Plan Amendment for submission to the appropriate approval authority.

B. That approval be given to Zoning Application 86-109, Paletta International Corp., owner, requesting a further modification to the "E-2" (Multiple Dwellings) District regulations to permit the the development of the subject lands for a 12 storey building contained 83 condominium apartments and 929 m^2 of neighbourhood type commercial uses on the ground floor, for the property located at the southwest corner of Bell Manor Street and Barton Street East, as shown on the attached map marked as **APPENDIX "C"**, on the following basis:

i) That the Site Plan requirements as set out in Block "2" of By-law No. 74-7 be repealed.

ii) That the "E-2" (Multiple Dwellings) District regulations as contained in Section 11B of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:

a) That notwithstanding Section 11B(1) the following additional commercial uses shall be permitted within the multiple dwelling:

1) business and professional persons' office
2) bank
3) photographer or artist studio
4) tailor shop, dressmaker establishment, wearing apparel shop
5) shoe repair and other personal service shops
6) restaurant
7) drug store
8) grocery store
9) art gallery
10) retail store
11) a collecting and distributing station for a laundry and/or dry cleaning establishment
12) a medical or dental clinic, or the office or treatment room of any doctor, dentist, osteopath or drugless practitioner

(b) That the conditions as set out in subclauses (a), (b) and (c) of Section 11B(viii)(h) shall not apply.

(c) That the floor space limitations for retail variety stores as set out in Section 11B (viii)(h) shall not apply.

(d) That notwithstanding Section 11, the building shall have a maximum of 929 m^2 of commercial floor area in conjunction with 83 apartment units.

(e) That notwithstanding Section 11, the following sign requirements shall apply:

1) That no wall or window sign shall be erected, altered, extended or enlarged except if,

(a) the sign if attached to a building, and

(b) the sign, which refers to the occupancy or use of an individual establishment, must be located outside and in front of the particular establishment, and

(c) the total aggregate area of the sign is not more than 0.5 m^2 for every 0.5 m of frontage on the street of the particular individual establishment, and

(d) the sign is illuminated by a non-flashing indirect lighting, and

(e) the sign is not greater than 2.0 m in height, and

(f) the sign does not project more than 1.0 m above the top of the first storey of the building to which it is attached.

iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-306a, and that the subject land as Zoning District Map E-123 be notated as S-306a;

iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-123;

v) That the proposed change in zoning will be in conformity with the City of Hamilton Official Plan upon approval of Official Plan Amendment No. 47.

vi) That the Riverdale East Neighbourhood Plan be amended by redesignating the subject lands from "Medium Density Apartments" to "Commercial and Apartment".

EXPLANATORY NOTE

The purpose of the By-law is to provide for a further modification to "E-2" (Multiple Dwellings) District for the property located at the southwest corner of Bell Manor Street and Barton Street East, as shown on the attached map marked as APPENDIX "C".

The effect of the By-law is to permit the development of the subject lands for a 12 storey building containing approximately 83 condominium apartments and 929 m^2 of neighbourhood type commercial uses on the ground floor.

In addition, the By-law provides for the following variances:

(a) to permit additional commercial uses in conjunction with the Residential development;

(b) to permit commercial uses to be accessible from the exterior of the building, to be located in a multiple dwelling with less than 100 units and to delete the sign requirement permitting signs to be visible from the interior of the building only, whereas the by-law requires that all commercial uses in apartments with 100 units or more provide an interior access only with no signs visible from the exterior.

(c) to delete the floor space limitations for retail variety store which restricts the floor area to 93 m^2.

(d) to limit the commercial floor space within the building to a maximum of 929 m^2 whereas the By-law has no commercial floor space limitations and to limit.

(e) to permit signs to be erected on the exterior of the building provided certain restrictions are met. The By-law does not contain any sign requirements for some commercial uses.

4) That Zoning Application 86-106, Slavko and Barbara Grguric, owners, requesting a modification to the established "DE-3" (Multiple Dwellings) District regulations, to legalize the existing sun tanning studio located at No. 108 Herkimer Street, as shown on the attached map marked as APPENDIX "D", be denied for the following reasons:

i) The proposal represents an undesirable intrusion of a commercial use into an established residential use;

ii) The proposal cannot be considered a "home occupation use" because:

a) it involves the use of specialized equipment (five sun tanning beds) not normally associated with a residential dwelling;

b) the business involves employees outside of a family unit who do not reside on the premises.

iii) Approval of the zoning application will establish an undesirable precedent for future similar applications to permit commercial uses within established residential areas.

5. i) That the Lisgar Neighbourhood Plan be amended to delete the walkway designation, between Laird Drive and Locheed Drive.

ii) That the closure and disposal of the walkway be dealt with by the Transport and Environment Committee.

*6. i) That Council adopt the following policy guidelines regarding sign posting for rezoning applications.

(a) That the applicant be required to post a sign on the property, at his/her own expense, advising that a zoning and/or official plan amendment application has been submitted and is being considered by the City;

(b) That the applicant be responsible for the maintenance and removal of the sign;

(c) That the applicant submit a photograph to the Planning and Development Department's satisfaction demonstrating that a sign has been erected, prior to any work being undertaken on the application;

(d) That when the City or Region undertakes a rezoning, it will be the responsibility of the Department initiating the rezoning or in all other cases the Planning and Development Department to prepare, erect and maintain an appropriate sign;

(e) That the City budget $3,000 annually to cover the cost of sign posting for rezonings undertaken by the municipality and that the Treasurer be requested to allocate the funds to an appropriate account.

(f) That the sign remain posted until the By-law comes into effect or until City Council has denied the application.

(g) That the sign be located on the site where maximum exposure to the abutting street(s) is attained but should not create a visual obstruction to pedestrians and motorists;

*Section 6 Referred Back
Recorded Vote, See Page 243

(h) That the sign be required to contain the following information:

1) The words **"Public Notice"** in bold lettering.

2) To whom the application has been submitted (e.g. City of Hamilton)

3) The owner's/developer's name, municipal address of the land affected, and the nature of the zoning/official plan amendment application.

4) The proposed land use

5) File Number

6) Planning and Development department phone number for more information.

i) The sign shall not be less than 2.0 m^2 in area.

7. i) That, proposed Amendment No. 13 to the Halton Regional Official Plan has no impact on the planning intentions of the City of Hamilton, and,

ii) That, the City Clerk be directed to so advise the Halton Regional Clerk by February 21, 1987.

EXPLANATORY NOTE:

The Regional Municipality of Halton has requested comments from the City of Hamilton on proposed Amendment No. 13 to the Halton Regional Official Plan. The proposed Amendment makes a number of changes to the Rural policies in the Official Plan.

8. i) That, proposed Amendment No. 26 to the Hamilton-Wentworth Official Plan would not adversely affect the City of Hamilton; and

ii) That, the City Clerk be directed to advise the Regional Economic Development and Planning Committee of the above.

EXPLANATORY NOTE:

The Hamilton-Wentworth Planning and Development Committee has requested the City's comments on the proposed Amendment No. 26 to the Hamilton-Wentworth Official Plan. The proposed Amendment would designate lands east and west of Highway 6 adjacent to the City of Hamilton boundary, and lands north of Mount Hope Settlement for urban residential development.

* 9. That the City Solicitor be authorized and directed to prepare a By-law for the demolition of the building and the clearing of the lands at the subject property as required on an Order dated July 9, 1984 and issued pursuant to Section 31(7) of The Planning Act, 1983 and registered in the Land Registry Office on October 15, 1984 as Instrument Number 295296 C.D.

EXPLANATORY NOTE:

For the information of the members of City Council, attached hereto as **APPENDIX "E"**, is the report of the Building Commissioner dated 1987 January 21 which contains all relevant background information in respect of this property.

10. i) That, in accordance with Schedule "A", attached hereto as **APPENDIX "F"** the 1987 operating budget of Downtown Promenade B.I.A. be approved in the amount of one hundred forty thousand, six hundred and twenty five dollars, ($140,625.);

ii) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, The Municipal Act, R.S.O. 1980, to levy the 1987 budget as referenced in (i),

iii) That, in accordance with Schedule "B" the Schedule of Payments - 1987, attached hereto as **APPENDIX "G"** be approved.

11. i) That, in accordance with Schedule "A" attached hereto **APPENDIX "H"**, the 1987 Operating Budget of the Westdale Village Business Improvement Area (B.I.A.) be approved in the amount of fifteen thousand dollars ($15 000.);

ii) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, The Municipal Act, R.S.O. 1980, to levy the 1987 budget as referenced in i), above; and,

iii) That, in accordance with Schedule B attached, the Schedule of Payments - 1987, attached hereto **APPENDIX "I"** be approved.

12. i) That, in accordance with Schedule "A" attached hereto as **APPENDIX "J"**, the 1987 operating budget of the Concession Street Business Improvement Area (B.I.A.) be approved in the amount of thirteen thousand two hundred dollars ($13,200).

ii) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1987 budget as referred in i) above; and,

*Section 9 Tabled for Ninety Days

iii) That, in accordance with Schedule B, the Schedule of Payments - 1987, attached as **APPENDIX "K"** be approved.

13. i) That a grant and repayable loan in the amount of five thousand dollars ($5 000.) be approved for Mr. Gary Hastings, 30 Wood Street West, for the adaptation of his home for his son's handicap.

ii) That subject to approval, the Lien be registered on Title indicating that a forgiveable grant in the amount of two thousand five hundred dollars ($2 500.) be earned over a five year period, and the balance of two thousand five hundred dollars ($2 500.) be repaid to the Corporation of the City of Hamilton at the time of the sale of the property. The interest rate on the repayable portion will be zero (0) percent.

14. i) That an Offer to Purchase an irregular shape parcel of vacant land located along the southerly limits of York Boulevard at Locke Street North, executed by Albert I. Foreman on July 29, 1986, be extended in respect of closing to April 2, 1987.

ii) That a lease granting a monthly tenancy of a portion of the lands described in item 1 to Manuel Fidalgo, be terminated as of March 31, 1987.

Note: The said lands comprise an area measuring 10 feet by 68 feet of surplus York Street lands within the south east quadrant of York Boulevard and Locke Street North. The parcel is in use as a residential parking space at a rental to the City of $10 per month, plus taxes.

iii) That the City Solicitor be authorized to serve a 30 day notice of vacant possession on Manuel Fidalgo to take affect on or before March 31, 1987.

15. That the Mayor and the City Clerk be authorized to execute Consent and Waiver of Notice for lands, owned by 603792 Ontario Inc., and described as Lot 11 and Part of Lots 10 and 12, Registered Plan No. 191, City of Hamilton, Regional Municipality of Hamilton-Wentworth, to be registered under Land Titles.

16. That leave be granted to introduce the following Bills:

D-13 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located in the Area South of Stone Church Road East between Upper Gage Avenue and Elmore Drive.

D-14 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 2826 King Street East.

D-15 By-law to Amend Zoning By-law No. 6593 Respecting Prepackaged Food in Variety and Grocery Stores.

D-16 By-law to Adopt Official Plan Amendment No. 47 Respecting Lands Located at the South-West Corner of Barton Street East and Bell Manor Street.

D-17 By-law to Appoint Plumbing Inspectors.

*17. That the Building Commissioner be authorized to issue a demolition permit for the demolition of the residential building at 800 Upper Paradise Road.

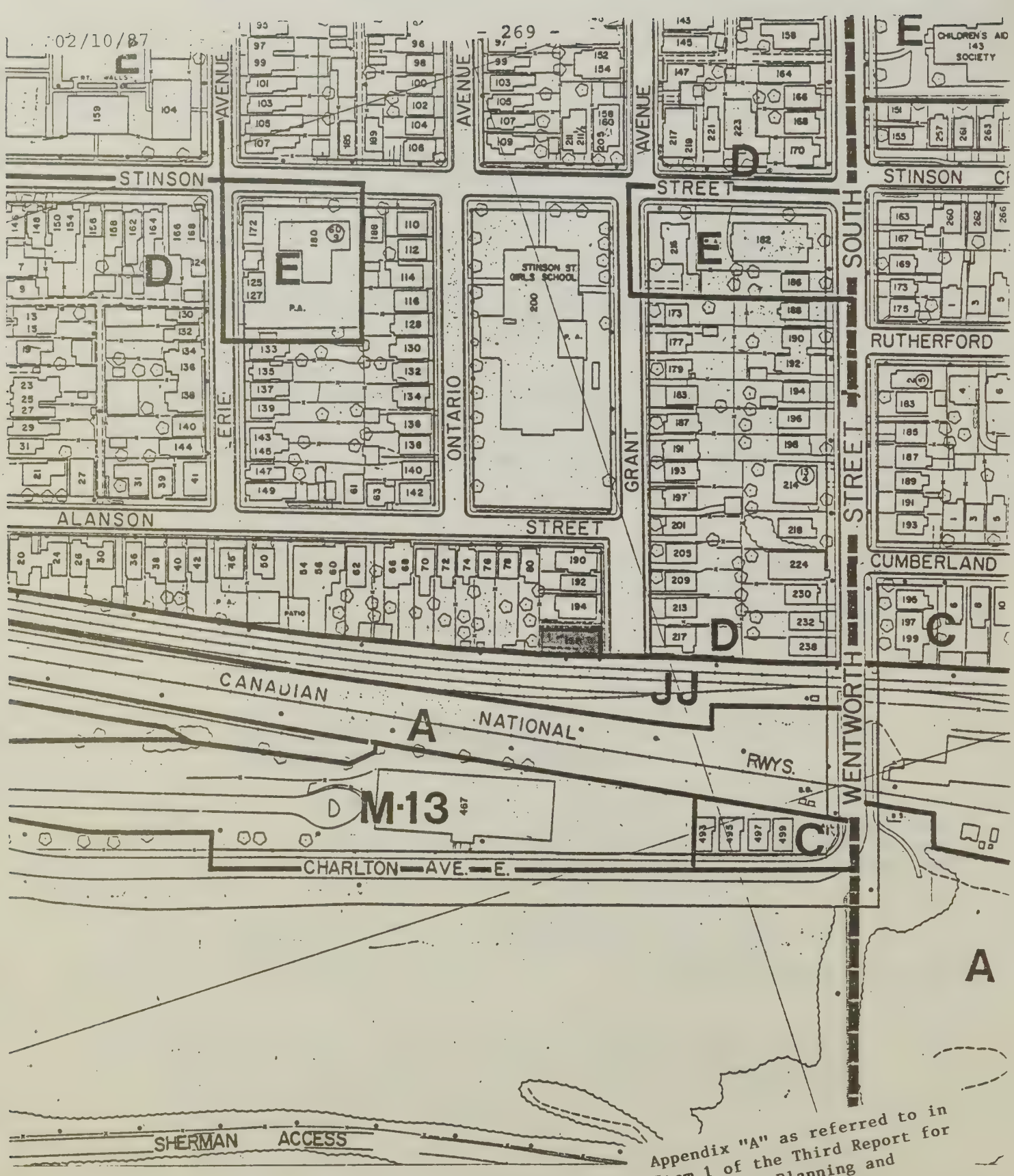
Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN,
PLANNING AND DEVELOPMENT COMMITTEE

John Thompson, Secretary,
Planning and Development Committee
1987 January 28

JDT:tb

*Section 17 Added During Council

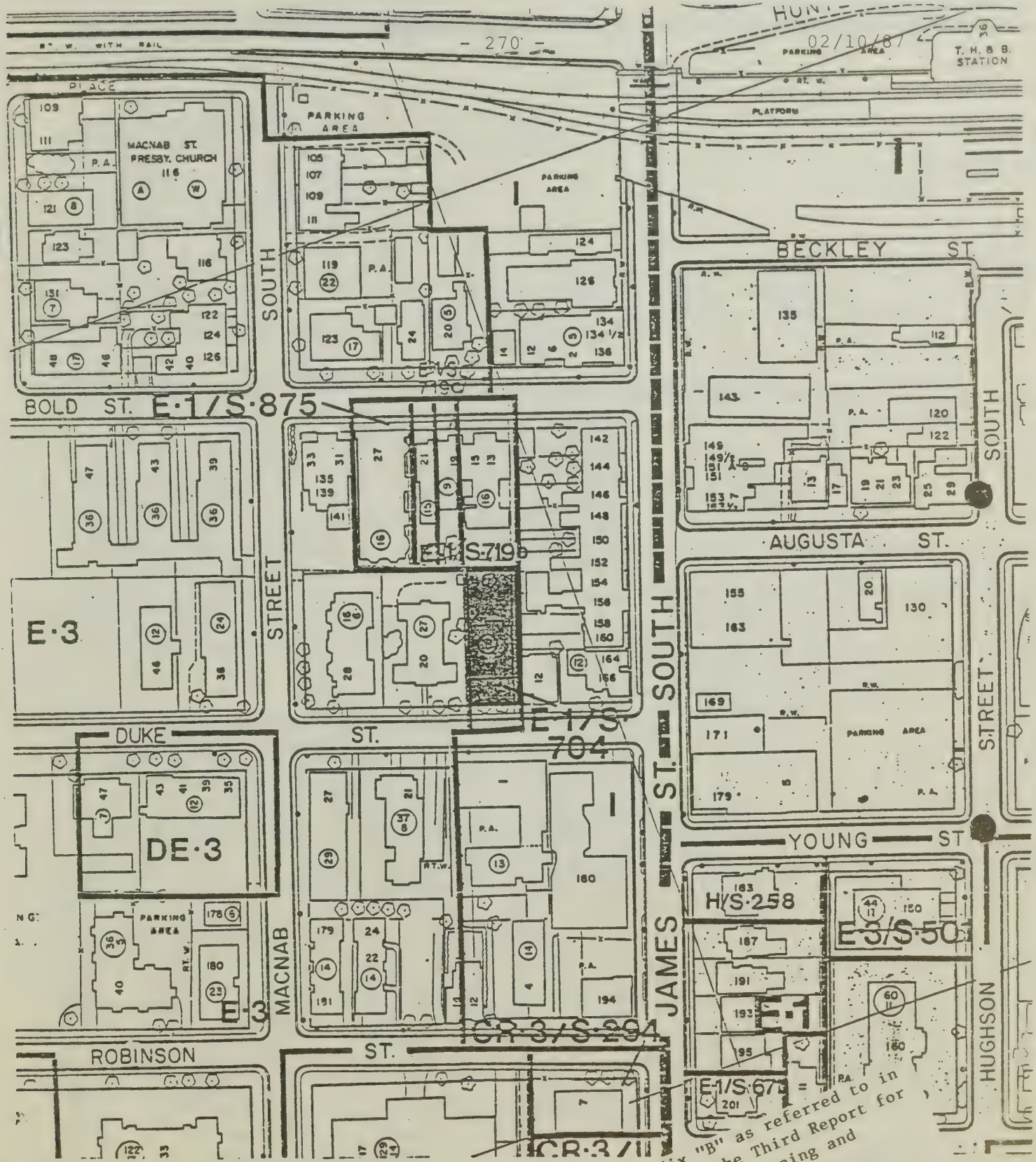


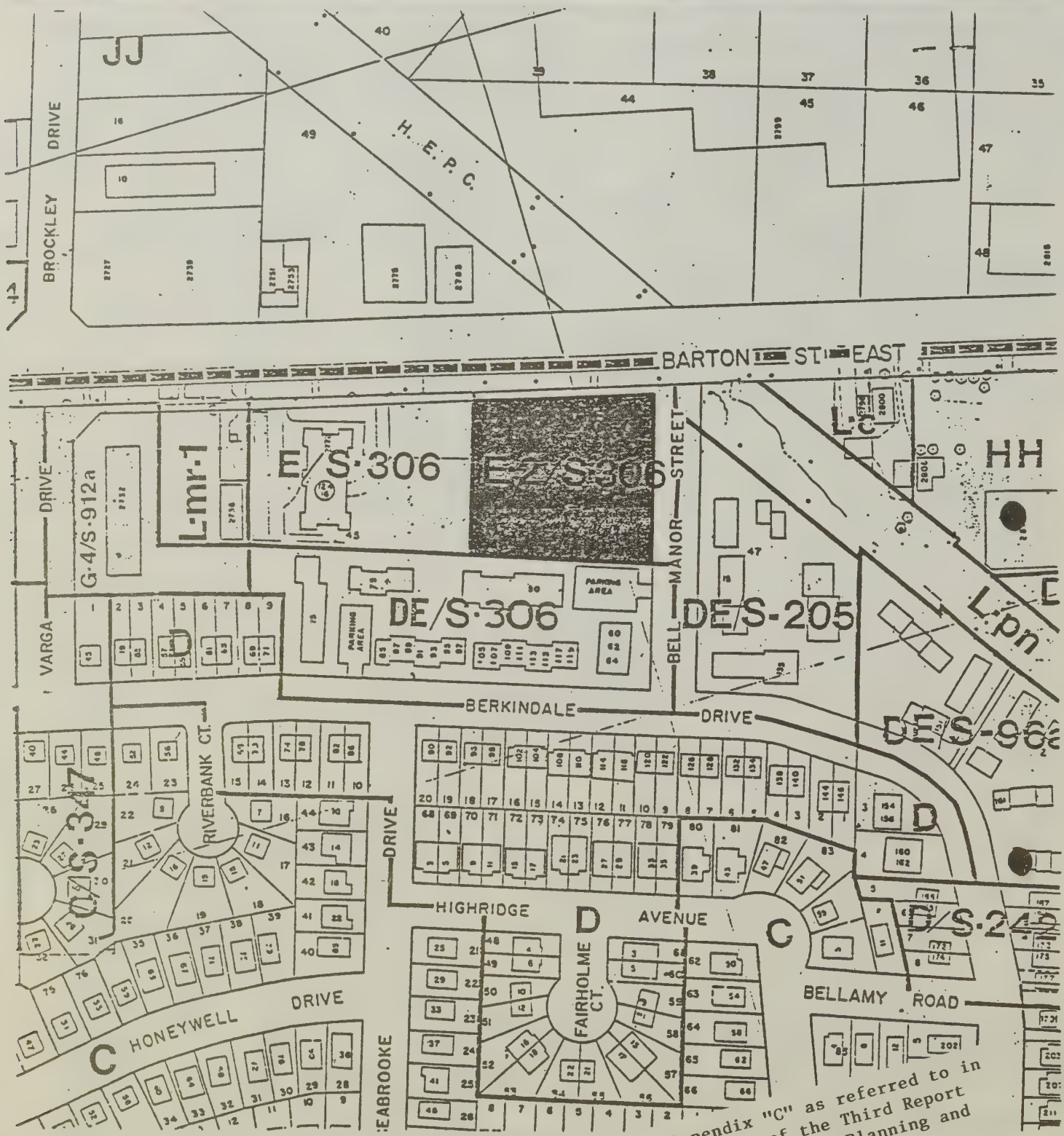
Appendix "A" as referred to in Item 1 of the Third Report for 1987 of the Planning and Development Committee

LEGEND

SITE OF THE APPLICATION

ZA86-104


02/10/87
- 270 -
MACNAB ST. PRESBY. CHURCH
PARKING AREA
T. H. & B. STATION
PLATFORM
BECKLEY ST.
BOLD ST.
E-1/S-875
E-1/S-719
E-1/S-704
AUGUSTA ST.
SOUTH STREET
DUKE ST.
YOUNG ST
E-3
DE-3
MACNAB
JAMES ST. SOUTH
HUGHSON
H/S-258
E-3/S-50
CR-3/S-294
ROBINSON ST.
E-1/S-67
CR-3/I
LEGEND
SITE OF THE APPLICATION
Appendix "B" as referred to in Item 2 of the Third Report for 1987 of the Planning and Development Committee
ZA86-108

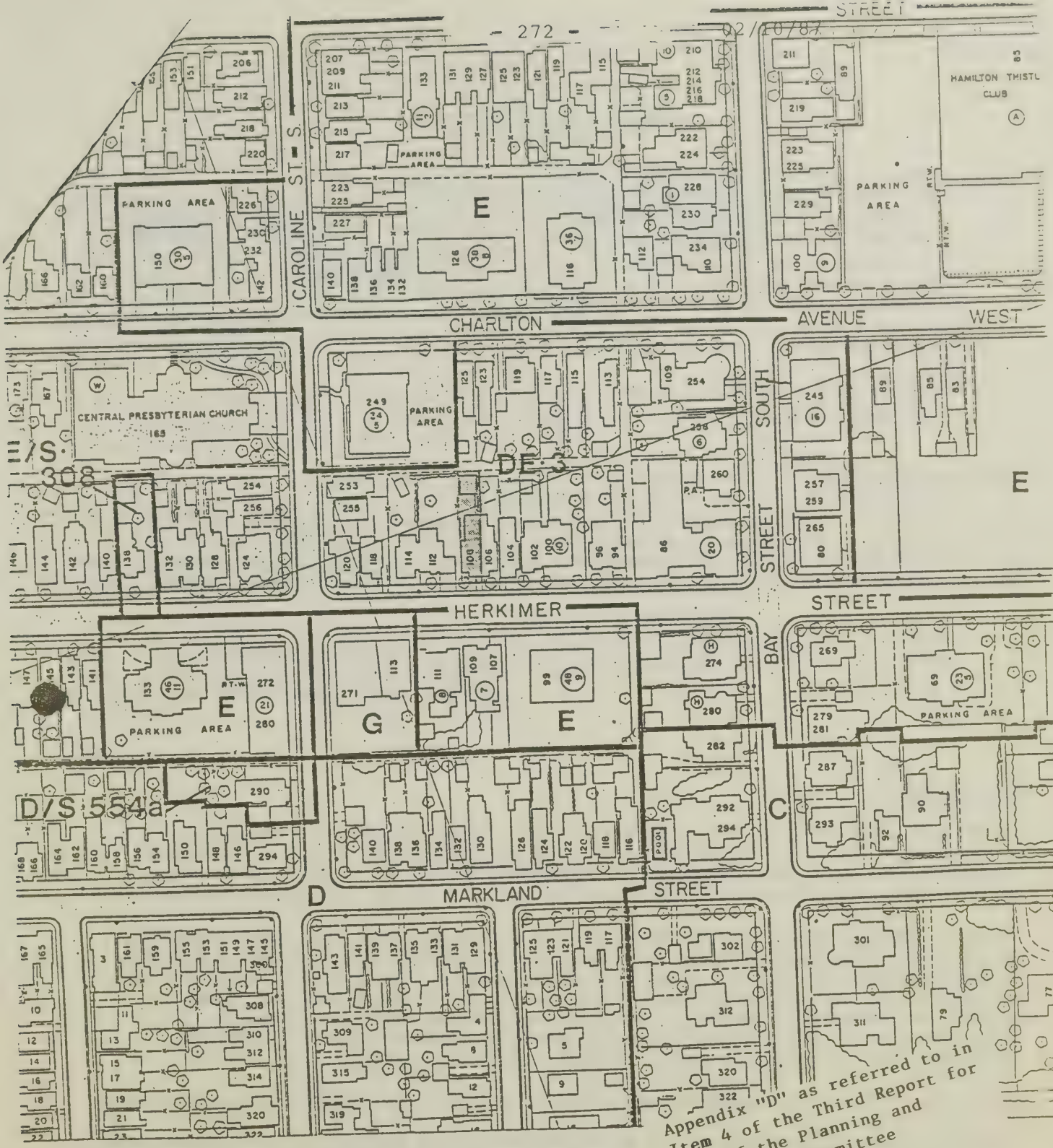


Appendix "C" as referred to in Item 3 B of the Third Report for 1987 of the Planning and Development Committee

LEGEND

SITE OF THE APPLICATION

ZA86-109



Appendix "D" as referred to in Item 4 of the Third Report for 1987 of the Planning and Development Committee

LEGEND

SITE OF THE APPLICATION

ZA 86-106

F O R A C T I O N

FROM MR. P. KUPPE, BUILDING COMMISSIONER DATE JANU/

TO PLANNING AND DEVELOPMENT COMMITTEE Refer To File No. PROPERTY STANDARDS

Attention Of

Your File No.

SUBJECT

14 TISDALE STREET NORTH

RECOMMENDATION

THAT the City Solicitor be authorized and directed to prepare a By-law for the demolition of the building and the clearing of the lands at the subject property as required on an Order dated July 9, 1984 and issued pursuant to Section 31(7) of The Planning Act, 1983 and registered in the Land Registry Office on October 15, 1984 as Instrument Number 295296 C.D.

BACKGROUND

On March 27, 1985 a draft by-law for demolition was submitted to the Planning and Development Committee for approval. Mr. Claude Albano appeared before the Committee requesting time to arrange financing for rehabilitation of the building as per the Order. The proposed by-law was tabled for 30 days to allow Mr. Albano this opportunity.

On May 1, 1985 Mr. Claude Albano again appeared before the Committee. He had applied to the Residential Rehabilitation Assistance Program and had made conditional financing arrangements with the Canadian Imperial Bank of Commerce. Mr. Albano advised that the property was in the process of being transferred to Mr. Albano's father in order to qualify for the R.R.A.P. funding. The Committee directed that unless both the outstanding taxes were paid and a building permit applied for by May 10, 1985, the demolition by-law would be submitted to City Council for enactment.

On May 10, 1985 the outstanding property taxes for 1982, 1983 and 1984 were paid in full.

On May 15, 1985, at the Planning and Development Committee meeting, it was reported that the taxes had been paid, however, no change of ownership had taken place and no building permit application had been made. It was decided that unless an application for a building permit was made by May 28, 1985, the demolition by-law would be submitted to City Council for enactment.

On May 23, 1985 an application for a building permit was received for interior alterations and repairs to existing single family dwelling. Buildin [illegible] on May 27, 1985.

Appendix "E" as referred to in Item 9 of the Third Report for 1987 of the Planning and Development Commitee

In July 1985 the ownership of the property was transferred to Arcangelo Albano.

In December 1985, Mr. Claude Albano reported to the Community Development Department that enough initial work had been done to now qualify for the R.R.A.P. funding. Inspectors of the Building Department made several attempts to contact Mr. Claude Albano in order to carry out inspections to determine if the required extra work had been completed but received no response to their calls. Site visits revealed no action taking place on the property. On February 13, 1986 the loan application file for R.R.A.P. funding was closed.

On July 17, 1986 a further complaint was received by the Building Department as to the condition of the property. An inspection revealed the property was still in a very rundown condition and was posted for sale.

On July 25, 1986 Mr. Claude Albano, the permit holder, was notified by letter that Building Permit BZ 046788 was revoked under Section 6.4(b) of The Building Code Act, R.S.O. 1980, as amended, as no construction had commenced.

As of January 5, 1987 the 1985 and 1986 property taxes were outstanding in the amount of $1,245.76.

On January 7, 1987 a re-inspection of the premises revealed the property was still in a very rundown condition with every window in the building broken. There was debris in the front and rear yards and a red van was parked in the front yard. Some repairs had been made to the front porch.

GORE PARK
DOWN TOWN
PROMENADE

RECEIVED
DATE Jan. 13 87
FILE NO. 800-00142
LETTER NO. 780-29
FILE EK
87/1/13

13 January 1987

Edward Kowalski
Director - Community Development
City of Hamilton
City Hall.

Dear Mr. Kowalski:

My executive committee, persuant to the consitution and bylaws of the Downtown Hamilton BIA met Friday 9 January and approved the 1987 budget outlined below. While the total budget -- a 12.5 per cent increase over the previous year -- will remain unchanged, the incidence of expenditures may be adjusted as committee chairmen complete their planning for the present year: the chairmen are concerned specifically with planning; budget and administration; legal matters; promotion; advertising; liaison and Project PRIDE.

The principle budget provisions are these:

Reserve	7,500
Salaries and expenses	39,700
Admin & member service	15,625
Special programs	30,350
Media	24,800
Beaut & PRIDE	12,664.16
Prov/arrears	9,985.84
	140,625.00

In the past, our budgets have grown each year only by a cost of living factor. This year, for the first time the budget also includes a program increase of 4.5 per cent.

Appendix "F" as referred to in Item 10 i) of the Third Report for 1987 of the Planning and Development Committee

Board of Management, Downtown Hamilton Business Improvement Area.
P.O. Box 1023, Station A, Hamilton, Ontario L8N 3R4 Telephone (416) 523-1646

SCHEDULE "B"

Budget / 2

In reviewing last year's budget I note Code 99 collections of $105,307.6 and transfer to the BIA of $115,293.00. The code 99 arrears statement of $9985.84 is included in the budget for 1987. The suggested transfer schedule below accommodates these arrears in the first four months of 1987:

January	9222.29	July	11718.75
February	9222.29	August	11718.75
March	9222.29	September	11718.75
April	9222.29	October	11718.75
May	11718.75	November	11718.75
June	11718.75	December	11718.75
			130639.86

Sincerely,

F. Emmorey

Francis Emmorey
Executive Director

Appendix "G" as referred to in Item 10 iii) of the Third Report for 1987 of the Planning and Development Committee

Westdale Village

Business Improvement Association

02/10/87

1987 BUDGET

Approved at general membership meeting held November 3, 1986.

Administration	$ 2,400.00
Advertising	2,500.00
Audit	500.00
Christmas decorations	5,000.00
Contingency	600.00
Newsletter	1,000.00
Promotions	3,000.00
TOTAL.....	$15,000.00

BIA1
b1987
.111

Appendix "H" as referred to in Item 11 i) of the Third Report for 1987 of the Planning and Development Committee

SCHEDULE "B"

WESTDALE B.I.A.
SCHEDULE OF PAYMENT REQUEST FOR 1987

February 1, 1987	$ 5,000
March 1, 1987	5,000
June 1, 1987	5,000
TOTAL	$15,000

Appendix "I" as referred to in Item 11 iii) of the Third Report for 1987 of the Planning and Development Committee

CONCESSION STREET BUSINESS IMPROVEMENT AREA

PROPOSED BUDGET FOR 1987

Income	1986 Budget	1987 Budget
B.I.A. Levy	$12,000.	$13,200.
Interest	200.	Nil
Christmas Decoration Grant	1,000.	1,000.
Previous Year Surplus	488.	500.
	$13,688.	$14,700.
Expenses		
Bad Debts B.I.A. Levy	$ 600.	$ 600.
Insurance	300.	500.
Bank Charges	100.	100.
News Letter	500.	500.
** Advertising and Promotion	9,688.	7,000.
** Christmas Decorations	Nil	2,500.
Summer Festival excluding Ad.&Prom.	1,000.	800.
Office Supplies	250.	250.
Seminars - Conventions	500.	500.
Accounting	250.	250.
Street Improvement	Nil	1,200.
Miscellaneous	500.	500.
	$13,688.	$14,700.

** These two items were previously lumped together

Appendix "J" as referred to in Uten 12 i) of the Third Report for 1987 of the Planning and Development Committee

Schedule of Payments for 1987, Concession Street B.I.A.

Date Required	Amount	Purpose
January 31,1987	$4,000.	To cover 1985 and 1986 shortfall, insurance and general expenses
April 1, 1987	$3,000.	Advertising and Promotion Easter and Mothers Day
June 1,1987	$2,000.	Advertising and Promotion Fathers Day, Midnight Madness
July 1,1987	$2,000.	Summer Festival
August 1,1987	$2,200.	Christmas Promotion, Midnight Madness
Total	$13,200.	

Ray DeVries, Treasurer
Concession Street B.I.A.

Appendix "K" as referred to in Item 12 iii) of the Third Report for 1987 of the Planning and Development Committee

REPORT OF THE LEGISLATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council

The Legislation Committee presents its **FOURTH** Report for 1987 and respectfully recommends:

*1. (a) That Licencing By-law No. 79-323, Schedule 4 be amended to provide for the issuance of a "special owner's licence" to be non-transferrable for a period of ten consecutive years from the date of issue.

(b) That the City Solicitor be authorized and directed to prepare the necessary amending by-law.

NOTE: For the information of the members of City Council, at the City of Hamilton Licensing Committee meeting held on January 22, 1987, the Committee approved the issuance of a "special" taxi owner's plate to Peter Kotuziak, 6 Balsam Avenue North, Hamilton, This plate was approved on compassionate grounds based on a letter received from Mr. Kotuziak's physician with regard to his health. In order for Mr. Kotuziak to receive his taxi owner's plate an amendment to the City's Licence By-law 79-323, Schedule 4, is required. The amending by-law is to be worded so as to indicate the unique circumstances under which this licence is to be issued and further that the owner's plate not be transferrable for a period of ten years rather than the usual five year period provided for in the by-law.

**2. (a) That a policy be established whereby only the names of the Mayor and members of Council (in ward order) in office at the time of an official opening or dedication, be included on any commemorative plaque.

(b) That if there are any special circumstances which merit the inclusion of additional names, the Legislation Committee be responsible for reviewing same and submitting a recommendation to City Council.

3. That a telephone machine for the hearing impaired be installed in the Aldermen's Reception/Secretaries area.

NOTE: For the information of the members of City Council, the estimated cost to install this equipment is approximately $250 and can be financed from within existing accounts.

The Legislation Committee will be reviewing the usage made of this machine and, if deemed necessary, will recommend expanding this service.

*Section 1 Referred Back

**Section 2 Referred Back

4. That the Council of the Corporation of the City of Hamilton advise the "People for Sunday Association of Canada" that administration of the Ontario Retail Business Holidays Act should be the responsibility of the Provincial Government.

   NOTE: For the information of the members of City Council, the People for Sunday Association of Canada has advised the City that the Honourable David Peterson, Premier of Ontario has indicated that he will appoint a three-party committee to consider amendments to the Ontario Retail Business Holidays Act. This organization further advised that it has been suggested that perhaps Municipalities, rather than the Provincial Government should be charged with the responsibility of enacting Municipal By-laws governing retail store openings on Sundays and Holidays.

   This organization has requested the decision of the City Council with respect to this matter.

5. That the Current practice of considering each request for special City advertising in publications, on its own merits, be continued subject to the following guidelines:

   That, requests for special City advertising be approved if:

   (a) the applicant organizations activities are of benefit to the community and of a charitable nature and the request is for the City of Hamilton to extend congratulations to the Organization.

   (b) the applicant Organization is hosting a Conference or Convention in the City of Hamilton and the request is for the City of Hamilton to extend a welcome to the delegates.

   (c) a similar request has not been approved by the Regional Municipality of Hamilton-Wentworth or any other civic authority.

6. (a) That the Market By-law No. 81-180 be amended so as to provide for the market hours to be changed from (12:00 o'clock midnight to 6:00 o'clock p.m.) to (4:00 o'clock a.m. to 6:00 o'clock p.m).

   (b) That the City Solicitor be authorized and directed to prepare the necessary amending by-law.

7. Approval of the actions of the Legislation Committee in authorizing the Heart and Stroke Foundation to place a banner on the balcony in front of City Hall for the month of February, 1987.

8. Approval of the actions of the Legislation Committee in authorizing the Church of Saint Thomas to place a banner on the balcony in front of City Hall for the period February 7 to 14, 1987 to proclaim the week as "Students Against Driving Drunk Week".

9. That permission be granted to the Estonian Society of Hamilton to fly the Estonian flag in the City Hall forecourt for the period February 20 to February 27, 1987 to commemorate the 69th Anniversary of the Independence of Estonia.

10. That permission be granted to the Canadian Country Music Co-op to hold a noon hour concert in the City Hall forecourt on Friday, February 13, 1987 to celebrate the City of Hamilton's 141st birthday and to promote Hamilton as the "Country Music Capital of Canada".

    NOTE: For the information of the members of City Council, the Legislation Committee is recommending this approval on the understanding that there will be no costs associated to the City of Hamilton for this event.

11. That the City host a breakfast for the delegates of the Governor Generals Canadian Studies Conference and local community leaders and provide a bus tour of the City of Hamilton on Sunday, June 7, 1987.

    NOTE: For the information of the members of City Council, approximately 17 representatives of the Governor Generals Canadian Studies Conference will be visiting Hamilton on Sunday, June 7, 1987. These selected delegates will be representing unions, management, and government. While they are here they will participate in discussions with major community leaders from the Hamilton area.

    The estimated cost of the breakfast and bus tour is $450.

12. That the following resolution from the City of Kingston respecting maximum unit prices for Non-Profit Housing **be endorsed.**

    WHEREAS the Maximum Unit Prices (M.U.P.S.) in Kingston are the lowest in the province and not realistic to meet both construction and land costs;

    AND WHEREAS the fate of non-profit housing in this community is in jeopardy because of this unrealistic pricing;

    AND WHEREAS there are indications that the Maximum Unit Price as established by the Ministry of Housing is presenting serious difficulties for many municipalities across Ontario:

NOW THEREFORE BE IT RESOLVED that the federal and provincial governments be petitioned to realistically survey the methodology of establishing the M.U.P.S. and raise the Maximum Unit Price to realistic levels so that municipalities may take advantage of the governmental sponsored programs for nonprofit and co-operative housing which is the governmentally recommended program for the supply of lowincome housing in municipalities

- and further -

That this resolution be forwarded to the Association of Municipalities of Ontario with a request for their investigation and support;

- and further -

That this resolution be circulated to municipalities with populations of 25 000 and over for their consideration and support.

13. That leave be granted to introduce the following bill:

Bill E-4 A By-law to Amend By-law No. 79-323 to Provide for the Issuance of a "Special Owner's Licence".

Respectfully submitted,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE"

J. J. Schatz, Acting Secretary
1987 February 2

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its **THIRD** Report for 1987 and respectfully recommends:

1. (a) Approval of the establishing of the position of Assistant Traffic Signal Technician, Traffic Department, Salary Schedule B-8, $462.91, $482.24, $507.97, $534.98, $555.17 per week.

   (b) This position to be posted and filled.

   Note: With the establishing of this position, one position of Traffic Signal Repairman II, Salary Schedule B-6, $407.06, $418.72, $439.13, $459.43, $480.89 per week, is to be eliminated.

2. Approval of Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to 1987 January 23, as set out on the list attached hereto as Schedule "A".

Respectfully submitted,

ALDERMAN M. KISS, CHAIRPERSON,
PERSONNEL COMMITTEE.

E. A. Simpson, Secretary,
1987 February 10.

SCHEDULE "A"

Referred to in Section 2 of the Third Report of the Personnel Committee.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. David Baker	Console Operator	Treasury	returned to perm. position (was replacing M. Goldsmith)	A-8	$550.34 per week	87/01/05
Mrs. Deborah Bourque	Parking Meter Clerk	Treasury	replacing Karen Grywacheski - transferred	E-2	$312.39 per week	87/01/19
Mr. Steven Doan	Traffic Serviceman II	Traffic	replacing Frances Caprice - returned to former position	A-3	$362.80 per week	87/01/12
Mrs. C. Franceschini	Clerk Typist III	Culture and Recreation	replacing Diane Occhuito - promoted	E-1	$296.86 per week	87/01/12
Mr. Mike Goldsmith	Assistant Manager - Data Centre	Treasury	returned to perm. position (was replacing K. Kumita - off sick)	115	$31779.28 per annum	87/01/05
Mrs. Melissa Gould	Records Clerk	City Clerk's	replacing Colleen Cullen - returning to previous position	E-4	$365.58 per week	87/01/12
Mrs. Gayle Hamilton	Lifeguard I	Culture and Recreation	returning to perm. position (temp. promotion ended)	CH-5	$370.18 per week	87/01/12

Prepared 1987 January 23

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Doreen Johnson	Stenographer III	Building	replacing Katharine Gross - resigned	E-3	$333.04 per week	87/01/19
Mr. Jon Jouppien	Curator	Dundurn Castle Division of Culture and Recreation	replacing Marilynn Soules - promoted	114	$29558.88 per annum	87/01/12
Mr. Edward MacPherson	Caretaker	Property Mtce. Div. of Real Estate	replacing Percy MacLean - retired	B-2	$398.40 per week	87/01/12
Mrs. Gale Payne	Pool Supervisor	Culture and Recreation	replacing Marlene Aulenbach - deceased	110B	$21211.32 per annum	87/01/12
Mrs. Debbie Pellerin	Stenographer IV	Community Development	replacing Melissa Gould - promoted	E-2	$312.39 per week	87/01/19
Miss Lise Poulin	Typist Clerk II	Public Works	returning to former position as per employee's request	E-2	$324.86 per week	87/01/19
Mrs. Dorothy Richardson	Key Punch Operator I	Treasury	replacing Christine Kelly - resigned	E-3	$333.04 per week	87/01/19
Miss Lisa Simpson	Lifeguard I	Culture and Recreation	replacing Gale Payne - promoted	CH-5	$342.32 per week	87/01/12

Prepared 1987 January 23

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Frank Wilson	Head Porter	Convention Centre Division of H.E.C.F.I.	new position	103C	$15867.28 per annum	87/01/12
Mr. Donald Wishart	Assistant Deputy Chief	Fire	replacing Earl Pearson - retired	C-12	$50924.62 per annum	87/01/11

Prepared 1987 January 23

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Larry Clement	Motor Mechanic	Central Garage Division of Public Works	resigned	6 years	87/01/09
Mrs. Beverley LaFave	Stenographer II	Building	resigned	14 years	87/01/16
Mrs. Sharon Mills	Licence Clerk	City Clerk's	resigned	8 years & 9 months	87/01/20
Mr. Wilfred Sklar	Unit Supervisor	Culture and Recreation	retired	23 years & 3 months	87/01/30

Prepared 1987 January 23

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Mark Ormond	Traffic Serviceman II (temporary)	Traffic	replacing William Baswick - Long Term Disability	A-3	$362.80 per week	87/01/12

Prepared 1987 January 23

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Ms. Candiss Corbin	Clerk Typist III (temporary)	City Clerk's	Lay off	10 months	87/01/16

Prepared 1987 January 23

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Finance Committee presents its **SECOND** Report for 1987 and respectfully recommends:

1. That the Chairman of the Finance Committee, the Mayor and the City Treasurer meet with the Provincial Treasurer respecting an increase in the amount of payments to the City of Hamilton in lieu of taxes.

* 2. That a communications connection be installed in the home of Alderman Gallagher on a pilot project basis for a period of three months at a cost of $250 initially and $20 per month thereafter.

NOTE: Alderman Gallagher has indicated that he will be purchasing a micro computer at his expense for use at his residence and he has indicated an interest in establishing a communications link with the Professional Office System installed on the City Hall computer. This connection would enable Alderman Gallagher to send and receive electronic messages between his residence and the City Hall computer.

It is becoming more commonplace to provide communication connections for senior officials in large corporations as it has been generally found to improve access to and from sources of information.

3. (a) That an Offer to Purchase the property of The Corporation of the City of Hamilton known as 401/403 King Street West for the sum of $160 000 duly executed by Alec Murray Real Estate Co. Ltd. on January 16, 1987 and scheduled for closing on or before April 30th, 1987 be approved and completed. A deposit of $2 000 is being held by the City Treasurer pending Council approval of this transaction.

(b) This Offer to Purchase is conditional upon the City completing the purchase of another property suitable to the City, on or before September 2, 1987 which property will serve as a substitute to the one being sold herein and provide accommodation for Hamilton Wesley House. The City shall determine whether the alternate property is suitable for such use. Failing which this Offer shall be null and void and the Purchaser's deposit shall be returned to him in full without interest.

*Recorded Vote, See Page 244

(c) The closing date of the transaction is scheduled for on or before April 30th, 1987. It is understood and agreed that, notwithstanding the date set out for the closing of this transaction, every effort will be made to complete the transaction on or before April 30th, 1987; however, the Vendor may at its sole option, extend the closing date to September 30th, 1987.

(d) The Purchaser agrees to complete this transaction earlier than September 30, 1987 if requested by the Vendor. In this event, the Vendor must give the Purchaser 30 days written notice of its desire to finalize the transaction at an earlier date.

(e) The Vendor is permitted to remove and retain the fire alarm system and the fire doors in the hallways.

(f) Proceeds of this sale are to be credited to Account No. 0280-02 - Reserve for Property Purchases.

4. That the Treasurer be authorized to assign outstanding accounts for the James Street North Business Improvement Area to the Financial Collection Agencies and instruct them to implement collection proceedings, including legal action where required.

NOTE: On May 28, 1985, City Council approved By-law 85-198 which designated an area surrounding James Street North as a Business Improvement Area. An operating budget of $49 000 for this Association was approved on January 14, 1986 and payments of this amount were made to the Association in accordance with an approved schedule covering the period January 1, 1986 to June 1, 1986.

The business improvement area charges were levied against the merchants in the area in May 1986 based on their proportionate share of the realty assessment.

A total number of 195 accounts were levied for $49 000 of which 146 accounts totalling $37 611 have been received leaving 49 outstanding accounts in the amount of $11 389 (Figures as at October 15, 1986).

5. That no action be taken by the City of Hamilton on a Report from the Ontario Association for Property Tax Reform respecting an update or reassessment under Section 63 of the Assessment Act as it affects the Town of Niagara-on-the-Lake.

NOTE: The City of Hamilton have received from Mr. Ronald G. Birch, President, Ontario Association for Property Tax Reform their Association views on the inequities, unfairness and confusion that will result from the reassessment taking place in the Town of Niagara-on-the-Lake.

The Town of Niagara-on-the-Lake previously was re-assessed under Section 63 of the Assessment Act and their Council have approved a further update to reflect their market value to the year 1984. This recent up-date is to take place effective in the 1987 taxation year.

The Ontario Association for Property Tax Reform opposed the original reassessment under Section 63 of the Assessment Act for the Town of Niagara-on-the-Lake and now oppose this latest up-date to use the year 1984 for the basis of the market value. This Association would appear to want the City of Hamilton, the City of Mississauga and Metro Toronto to support their opposition to this most recent up-date.

*6. That the Council of the Corporation of the City of Hamilton endorse the position taken by the Regional Municipality of Hamilton-Wentworth, the City of Toronto and the Hamilton and District Chamber of Commerce in opposing the initiative by the Government of Canada which would designate Montreal and Vancouver as International Banking Centres; and advise the Federal Government accordingly.

RESPECTFULLY SUBMITTED,

ALDERMAN P. O. VALERIANO, CHAIRMAN,
FINANCE COMMITTEE

Mrs. L. Peddle
Acting Secretary

1987 February 03

*Section 6 Added During Council

CA4 ON HBL A
M21
1987

MEETING OF HAMILTON CITY COUNCIL
TUESDAY, FEBRUARY 24, 1987
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross.

Reverend Karl Kuskevics, Christ Latvian Evangelical Lutheran Church, led the Council in prayer.

His Worship Mayor Robert M. Morrow called the meeting to order.

The minutes of the meetings of February 10, 1987, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Letter from Mr. E. A. Simpson, City Clerk, advising objection received to By-law Number 87-8, dated February 20, 1987. NO ACTION TAKEN.

2. Correspondence in support of the hiring of a Race Relations Co-Ordinator for the City of Hamilton:

   (a) Canadian Alliance in Solidarity with the Native Peoples, Hamilton Branch, 17 Barclay Street, Hamilton, Ontario, dated February 18, 1987.

   (b) Chinese Canadian Society, P.O. Box 8593, Dundas, Ontario, dated January 28, 1987.

   (c) Chinese Women's Association, c/o 18 Wavel Avenue, Hamilton, Ontario, dated February 10, 1987.

   (d) Human Rights and Racial Equality Association, 59 Skyline Drive, Dundas, Ontario, dated February 11, 1987.

   (e) The Muslim Association of Hamilton, P.O. Box 4484, Station "D". Hamilton, Ontario, dated February 19, 1987.

   (f) U.N.H. Inc., 25 Hughson St. South, Suite 508-A, Hamilton, Ontario, dated February 19, 1987.

   (g) Mr. M. Webber, Principal, St. Teresa of Avila School, dated February 23. 1987.

   (h) Mr. Carlton R. W. Glanville, Chartered Accountant, 108 George Street, Hamilton, Ontario, dated February 20, 1987.

   (i) Reverend John A. Johnston, Macnab Street Presbyterian Church, 116 Macnab Street South, dated February 20, 1987.

3. Letter from Mr. L. Lee Kirkby, Construction House of Hamilton Limited, 370 York Boulevard, Hamilton, Ontario, re Magill Street Parking Lot, dated February 17, 1987.

4. Application from Brian Sweet, 2158 Gerrard St. East, Toronto, Ontario, for a modification to "D" District regulations for property located at 160 Grant Avenue, dated February 11, 1987.

5. Application from 518374 Ontario Ltd., per Angelo Papastamos, 1353 Highway 6 North, R.R. #2, Hamilton, Ontario, for a change in zoning, property located at 1716 to 1720 Upper James Street, dated February 13, 1987.

6. Application from Paletta International Corporation, 21 Brockley Drive, Stoney Creek Ontario, for a change in zoning, property located at 1621 Upper Sherman Avenue, dated February 16, 1987.

7. Application from Apans Health Services, 284 Central Avenue, London, Ontario, for a modification to district regulations for property located at 45 Lockton Crescent, dated February 23, 1987.

8. Letter from The Honourable Brian Mulroney, Prime Minister of Canada, re Auto Pact, dated February 4, 1987.

9. Petition against the proposed rezoning - Ainslie Wood West Neighbourhood.

10. Letter from Genevieve J. Heinz, 1401-1968 Main St. West, Hamilton, Ontario, opposing proposed amendment of the Ainslie Wood West Neighbourhood Plan, and the rezoning of the property at 1884 Main Street West.

* *

It was moved by Alderman Wheeler, seconded by Alderman Smith, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Copps in the chair.

* *

(A) EXECUTIVE COMMITTEE - FOURTH REPORT.

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 16.

NAYS: Alderman Copps. - 1. CARRIED.

* *

It was moved by Alderman Christopherson and seconded by Alderman Hinkley.

RESOLVED: that the following be added as Subsection (d) Section 9:

"(d) That Municipal Officials meet with Officials of Theatre Aquarius to review the feasibility and desirability of incorporating non-profit housing as a component of the proposed theatre development." -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Gallagher, Merling, Murray, Ross. - 16.

NAYS: Alderman Cowell. - 1. CARRIED.

* *

Recorded vote on Section 9 as amended.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Gallagher, Merling, Murray, Ross. - 16.

NAYS: Alderman Cowell. - 1. CARRIED.

* *

It was moved by Alderman Christopherson and seconded by Alderman Smith.

RESOLVED: That Section 12 of the THIRD Report of the Executive Committee, respecting increased costs for the Kenilworth Library renovations, which was tabled by City Council February 10, 1987, be now lifted from the table. - CARRIED.

* *

It was moved by Alderman Christopherson and seconded by Alderman Smith.

RESOLVED: that Section 12 of the THIRD Report of the Executive Committee, reading as follows:

"12. That the increased cost of $67,160., from $404,000. to $471,160., for the Kenilworth Library renovations, be financed from the Reserve for Library Capital Projects, Account No. 0280-43.",

be adopted. - CARRIED.

* *

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - FOURTH REPORT.

The recommendation of the Executive Committee on Section 10 was carried.

* *

The recommendation of the Executive Committee on Section 12 was carried.

* *

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that Section 20 be amended by adding the following between the words "approaches" and "on" in the second line:

"in areas where there are the old standard mountable curbs". -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Gallagher, Merling, Murray, Ross. - 16.

NAYS: Alderman Cowell. - 1. CARRIED.

* *

Recorded vote on Section 20 as amended.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Copps, Christopherson, Collins, Wheeler, Smith, Gallagher, Merling, Murray, Ross. - 16.

NAYS: Alderman Cowell. - 1. CARRIED.

* *

(C) PARKS AND RECREATION COMMITTEE - FOURTH REPORT.

Recorded vote on Section 4.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Hinkley, Christopherson, Collins, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 16.

NAYS: Alderman Copps. - 1. CARRIED.

* *

Recorded vote on Section 9.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Valeriano, Copps, Collins, Wheeler, Smith, Merling, Ross. - 12.

NAYS: Aldermen Hinkley, Christopherson, Cowell, Gallagher, Murray. - 5. CARRIED.

* *

(D) PLANNING AND DEVELOPMENT COMMITTEE - FOURTH REPORT.

Recorded vote on Section 2.

YEAS: Aldermen Agro, Valeriano, Collins, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 10.

NAYS: Mayor Morrow; Aldermen Cooke, Kiss, Copps, Christopherson. - 5. CARRIED.

* *

Recorded vote on Section 3.

YEAS: Aldermen Agro, Valeriano, Collins, Wheeler, Smith, Cowell, Gallagher, Merling, Murray, Ross. - 10.

NAYS: Mayor Morrow; Aldermen Cooke, Kiss, Copps, Christopherson. - 5. CARRIED.

* *

(E) LEGISLATION COMMITTEE - FIFTH REPORT.

* *

(F) PERSONNEL COMMITTEE - FOURTH REPORT.

* *

(G) FINANCE COMMITTEE - THIRD REPORT.

* *

NOTICES OF MOTION

It was moved by Alderman Valeriano and seconded by Alderman Hinkley.

RESOLVED: that the Motion pertaining to the establishing of the position of Race Relations Co-Ordinator be amended by adding the words "effective July 1st". -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Valeriano, Hinkley, Copps, Collins, Smith. - 8.

NAYS: Aldermen Agro, McCulloch, Christopherson, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 9. LOST.

* *

It was moved by His Worship Mayor Morrow and seconded by Alderman Christopherson.

RESOLVED: that City Council establish the position of Race Relations Co-Ordinator. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Hinkley, Copps, Christopherson, Collins, Smith. - 8.

NAYS: Aldermen Agro, McCulloch, Valeriano, Wheeler, Cowell, Gallagher, Merling, Murray, Ross. - 9. LOST.

* *

It was moved by Alderman Hinkley and seconded by Alderman Christopherson.

RESOLVED: that City Council discuss its action with respect to amending Bill P.R. 34 respecting a change in the composition of the H.E.C.F.I. Board. -

The Chairman ruled that this Notice of Motion was out of order and that, if the issue was to be discussed, it would require a Motion to Reconsider. Alderman Hinkley was not in attendance at the meeting when the issue was dealt with.

Alderman Hinkley challenged the Chair and the ruling of the Chair was sustained.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that Alderman D. Christopherson be appointed Acting Mayor for the month of March, 1987. - CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of th Whole on the above reports as amended, and resolutions, be adopted. - CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a first time:

A-7, A-8,
B-8, B-9, B-10, B-11, B-12,
D-18, D-19, D-20, D-21, D-22, D-23, D-24,
E-5, E-6, E-7 - CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Copps in the chair.

A-7, A-8,
B-8, B-9, B-10, B-11, B-12,
D-18, D-19, D-20, D-21, D-22, D-23, D-24,
E-5, E-6, E-7 - CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the report of the Committee of the Whole (second reading) on the Bills be adopted. - CARRIED.

* *

It was moved by Alderman Wheeler and seconded by Alderman Smith.

RESOLVED: that the following Bills be now read a third time.

A-7, A-8,
B-8, B-9, B-10, B-11, B-12,
D-18, D-19, D-20, D-21, D-22, D-23, D-24,
E-5, E-6, E-7 - CARRIED.

* *

City Council adjourned at 11:00 o'clock, p.m.

* *

REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its FOURTH Report for 1987 and respectfully recommends:

*1. (a) That the Kings Forest Golf Cart Storage Building be proceeded with at an estimated cost of $50 000 as provided for in the 1987 portion of the 1987-1991 Capital Budget as Project No. 37289.

(b) That the cost of this project estimated to be $50 000, be financed from the 1987 Capital Levy Account No. 0376-0298.

NOTE: The Parks and Recreation Committee at its meeting on February 17, 1987 approved this Project which will provide for a storage facility separate from the main club house at Kings Forest for the purpose of storing gasoline operated golf carts and equipment.

2. (a) That the Bike Paths - Phase Two Project be proceeded with at an estimated cost of $330 000 as provided for in the 1987 portion of the 1987-1991 Capital Budget as Project No. 37288.

(b) That staff be authorized to make application for Wintario Capital Grant funding if and when, such is available for this Project.

(c) That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval of this Project at an estimated cost of $330 000, with no eligible subsidies by the issuance of debentures for a period not to exceed 15 years recoverable from the mill rate levied on all rateable property and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of $330 000 for a term not to exceed 15 years.

NOTE: The Parks and Recreation Committee at its meeting on February 17, 1987 approved this Capital Project.

This phase of the Project will focus on the development of bike routes in the lower east end of the city continuing from Gage Park (Phase One) to Confederation Park.

*Recorded Vote, See Page 296

3. (a) That the Scott Park Arena Renovations be proceeded with at an estimated cost of $350 000 as provided for in the 1987 portion of the 1987-1991 Capital Budget as Project No. 37287.

   (b) That staff be authorized to make application for Wintario Capital Grant funding if and when such is made available for this Project.

   (c) That the City Solicitor be authorized to make application to the Ontario Municipal Board for this Project at an estimated cost of $350 000, with no eligible subsidies, by the issuance of debentures for a period not to exceed 15 years recoverable from the mill rate levied on all rateable property and further that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of $350 000 for a term not to exceed 15 years.

   (d) That the firm of C.C. Parker and Associates be commissioned to carry out the electrical, mechanical and structural engineering for the alterations of Scott Park Arena, at a fee of 4% of the total cost of construction, to a maximum of $14 000.

   NOTE: The Parks and Recreation Committee approved this Project at its meeting on February 17, 1987.

   This Project includes the provision of four dressingrooms, one office, one meeting room, a larger lobby, referees dressingrooms and a first aid room.

   It is recommended that the firm of C.C. Parker and Associates be retained immediately in order to avoid any delays in the re-opening of the Scott Park Arena in October, 1987. The C.C. Parker Firm has recently carried out engineering work for revisions to ice making equipment and are familiar with the system in this Building.

4. That the Capital Grant of $138 981 to the Hamilton Society for the Prevention of Cruelty to Animals as provided for in the 1987 portion of the 1987-1991 Capital Budget as Project No. 36300-B be approved and financed from the Reserve for Capital Projects Account No. 0280-27.

   NOTE: For the information of the Members of City Council, attached as Schedule "A' is a listing of items to be purchased with this Capital Grant.

5. (a) That the Hamilton Tennis Club Court Lighting be proceeded with at an estimated cost of $50 000 as provided for in the 1987 portion of the 1987-1991 Capital Budget as Project No. 37290.

(b) That the gross estimated cost of $50 000 for this Project be financed from the 1987 Capital Levy Account No. 0376-0298.

NOTE: This Project involves the replacement of the existing tennis court lighting system, which was installed in the 1930's, to bring it up to Ontario Tennis Association Club Level Standards on 6 courts, and to Ontario Tennis Association Level Standards on 2 courts.

The Hamilton Tennis Club Executive has made a commitment to cost share this project in the amount of $16 000.

This Project was approved by the Parks and Recreation Committee at its meeting on February 17, 1987.

6. That up to eight (8) Members of City Council along with Mayor R. M. Morrow be authorized to attend the 50th Annual Conference of the Federation of Canadian Municipalities to be held in Ottawa, May 31 to June 3, 1987.

NOTE: For the information of the Members of City Council, the City of Hamilton is entitled to have seven (7) voting delegates and one (1) alternate delegate to this Conference.

7. (a) That repairs requested by the Ontario Heritage Foundation to be carried out to the Balfour-Baxter Property (formerly 654 Garth Street) at an estimated cost of $55 000 be approved.

(b) That the Property and Maintenance Division of the Real Estate Department be authorized to proceed with these repairs as soon as possible.

(c) That this expenditure be charged to the Balfour Estate Trust Fund - Account No. 0279-04

NOTE: Inasmuch as there are not sufficient funds in the Trust Fund at this time, this expenditure will be financed by a transfer of funds from the Reserve for Capital Projects, Account No. 0280-27 with the understanding that these funds will be returned to this Reserve to the extent that the net rental available from this property may be available in future.

The repairs to be carried out include chimney repairs, removal of mortar, cleaning and pointing of stone work in the stable building walls; reconstruction of and repairs to stone walls; carpentery repairs to the siding of the Coachhouse and soffits and facia areas of the stable; painting and roof repairs.

With the adoption of Section 26 of the 59th Report of the Board of Control, City Council at its meeting on November 14, 1978 authorized the execution of agreements necessary to provided for the City of Hamilton's participation in the dedication by the Balfour-Baxter Family of a 3.947 acre parcel of land with buildings thereon at 654 Garth Street (referred to as the Chedoke Property) to the Ontario Heritage Foundation.

The agreements entered into provided for among other things, the City to pay the annual taxes and provide for the maintenance of the exterior of the property and those responsibilities normally assumed by landlords. These costs are to be paid from the proceeds from the rent received.

8. That a purchase order be issued to **Serv-A-Station Maintenance Limited, Dundas, Ontario** in the amount of $103 662.27 including taxes, for the supply, delivery and installation of twenty (20) Fuel Pumps and three (3) Tanks at various locations, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

   NOTE: Lowest of two (2) acceptable tenders received. Funds provided in Automated Fuel System, Capital Budget Account #0408-V62745.

9. a) Approval of the sale of the City owned parcel of land located in the block bounded by Walnut Street, King William Street and Ferguson Avenue to **Theatre Aquarius** for the sum of $1.00, subject to the following conditions:

   i) Theatre Aquarius proceeding by the year 1992, with the construction of a theatre facility to accomodate 500-550 seats with provision to expand in the future to approximately 700-800 seats at a total estimated cost of $6 million.

   ii) The City obtaining the site back at no cost, or receive full market value compensation in the event Theatre Aquarius ceases to use the site for theatre purposes.

   iii) The City continue to own and operate this site as a parking lot until immediately prior to actual physical construction on the site.

b) That the Director of Real Estate and City Solicitor be authorized and directed to have the necessary documentation prepared to give effect to this resolution.

c) That the Treasurer be authorized to credit the Reserve for Off Street Parking, Account No. Ø28Ø-14 in the amount of $776 5ØØ which is the original purchase price for this property, and charge the Reserve for Property Purchases, Account No. Ø28Ø-Ø2, accordingly.

NOTE: This parcel of land was acquired by the City in 1979 for long range parking purposes for the sum of $776 5ØØ.

Conveyance of this parcel of land which has a current market value of $1 25Ø ØØØ is in lieu of the $1 million capital grant provided for in the 1987 portion of the 1987 - 1991 Capital Budget.

The Parking Authority has advised that these lands are surplus to the City's needs for parking purposes.

Previously forwarded to the Members of City Council, were copies of Theatre Aquarius's proposal dated January 29, 1987 to the Executive Committee. Additional copies if required, can be obtained from the Secretary, Executive Committee.

*d) That municipal officials meet with officials of Theatre Aquarius to review the feasibility and desirability of incorporating non profit Housing as a component of the proposed Theatre development.

1Ø. In accordance with the intent of the agreement between the City and Cadillac Fairview to construct an 825 space parkade on City owned lands located along the north side of York Boulevard in connection with the proposed Hamilton Eaton Centre, approval be given to Cadillac Fairview to proceed to invite tender submissions for the construction of the facility from the following pre-qualified contractors:

	FIRM	ADDRESS
(a)	Cooper Construction Company Limited	Hamilton/Etobicoke
(b)	Ellis-Don Limited	Willowdale
(c)	Eton Construction Ltd.	Mississauga
(d)	The Jackson-Lewis Company Limited	Toronto
(e)	P.C.L. Constructors Eastern Inc.	Etobicoke
(f)	Pigott Construction Limited	Hamilton/Islington
(g)	Robertson-Yates Corporation Limited	Hamilton

*Sub-section 9 (d) Added During Council

Recorded Votes, See Page 297

NOTE: Cadillac Fairview Corporation Ltd., the City's Project Manager with respect to the Parking Structure has progressed to the point where it will in the near future be calling for quotations from the Contractors to construct this facility.

Cadillac Fairview has invited submissions from pre-qualified Contractors each of whom provided documentation which outlines the details of the Company, personnel, financial references and a listing of prior projects completed by each Company in Canada in the past five (5) years.

In the process of establishing this list, consideration was given to several local and regional contracting firms and in the opinion of Cadillac Fairview, City Staff and the Executive Committee, the recommended list of Contractors will yield a very competitive tendering process and excellent construction results.

Construction is scheduled to commence in mid-April, 1987.

11. (a) That a Committee of five (5) Citizens along with Elected Officials be established to investigate, jointly with the Region, the feasibility and desirability of organizing activities in 1992 to celebrate the 500th Anniversary of Christopher Columbus' discovery of the Americas.

(b) That a budget of $10 000 be established for this investigation with the City contributing $5 000 and the Region contributing $5 000.

(c) That the Region be formally requested to contribute $5 000 towards these costs and to participate jointly with the City in this Project.

12. That the following procedure be established with respect to the Aldermen's Secretarial Services:

(a) That the Selection Committee for the temporary replacement for Mrs. R. D'Ortenzio who will be on Maternity Leave commencing April 6, 1987, be comprised of Alderman M. Kiss, Alderman B. Hinkley and Alderman D. Ross.

(b) That in view of the increase in the Aldermen's Secretaries from five (5) to eight (8) which will necessitate changes to the current arrangements, Alderman B. Hinkley be requested to undertake a review and make a recommendation to the Executive Committee and subsequently to City Council with respect to the assignment/reassignment of Aldermen Secretaries.

(c) That the two (2) Aldermen whom the candidate will be responsible to, along with the City Clerk be responsible for reviewing applications, conducting interviews if necessary, and recommending the appointment of Aldermen's Secretaries.

13. That the City owned parking lot on Magill Street immediately adjacent to the premises of the Construction House of Hamilton Ltd. at 370 York Boulevard which was closed in April, 1986 due to limited usage and loss of revenue, be re-opened for a period of six (6) months during which time its use will be monitored.

NOTE: With the adoption of Section 1 of the Ninth Report of the Executive Committee, City Council at its meeting April 8, 1986 agreed to terminate the use of the parking lot for a period of six (6) months to permit a re-assessment of parking needs in the immediate area.

Following the six month period, the Parking Authority reaffirmed that there was no requirement for a parking facility at this location and on the recommendatin of the Executive Committee, City Council at its meeting on October 14, 1986 agreed to permanently close the lot and offer the property for sale to the abutting owner namely; the Construction House of Hamilton Ltd. at market value or expose the property for sale on the open market in the event Construction House of Hamilton Ltd. was not interested in purchasing same.

Subsequent to this decision by City Council, the Construction House of Hamilton Ltd. made representation to the Executive Committee stressing the need for both current and future off-street parking in this area and urged that the lot be re-opened.

The Executive Committee feels that consideration should be given to this request and is therefore, recommending the six month trial period.

14. That leave be granted to introduce the following Bills:

(a) Bill A-7 : A By-law to Authorize the Construction of a Parking Garage within the westerly portion of the block bounded by York Blvd., MacNab St., Vine St. and James St.

(b) Bill A-8 : A By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted

MAYOR R. M. MORROW, CHAIRMAN
EXECUTIVE COMMITTEE

J. J. Schatz, Secretary
Executive Committee
1987 February 12
1987 February 19

SCHEDULE "A"

Referred to in Section 4 of the Fourth Report of the Executive Committee

H.S.P.C.A. CAPITAL BUDGET - 1987

A. Building Expenditures		
- Refractory Rebuilding	20,000	
- Shelter Roof Replacement	42,000	62,000
B. Furniture and Fixtures		
- 3 office desks	1,500	
- 6 office chairs	1,800	
- auditorium tables	1,000	
- lockers	450	
- office safe	675	
- filing cabinet	375	5,800
C. Computer Hardware		
- 4 terminals	5,200	
- 1 printer	2,000	
- Word Processing Set-up	3,000	
- Financial Package Set-up	3,000	13,200
D. Equipment		
- Cages and handling equipment	1,200	
- Scott Air Pack	2,500	
- Radio Communications Equipment	42,000	45,700
E. Motor Vehicles		
- 1 Additional new vehicle	14,000	
- Replace existing vehicle	14,000	28,000
Total Capital Requirements in 1987		154,700
Less: Depreciation recoveries		37,000
Net Capital requirements in 1987		117,700

City of Hamilton's share of 1987 = 82.4% x 117,700 =	96,981
Plus 3 motor vehicles required as a result of recommendations 3, 4, 5, 6, 13 and 17 of the 17th Report of the Legislation Committee approved by City Council November 11, 1986	42,000
	138,981

1987 February 18

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Transport and Environment Committee presents its **FOURTH** Report for 1987 and respectfully recommends:

1. That a purchase order be issued to Lecol Co. Ltd., Scarborough in the amount of $21 420 plus Provincial Sales Tax, for the supply and delivery of Adjustable Face Traffic Signal Heads, Traffic Department, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

   NOTE: Only tender received. Funds provided in Stock Materials Account Number 0394-3323.

2. That a purchase order be issued to Moore Business Forms, Burlington, for the supply and delivery of approximately 240,000 Parking Violation Tags for the Traffic Department, in the amount of $56.62 per thousand, plus design changes not to exceed $300, Provincial Sales Tax extra at 7%, in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

   NOTE: Lowest of three (3) tenders received. Funds provided in Operating Expenses Account #0345-0323.

3. That purchase orders be issued for the supply and delivery of Multi-Conductor Traffic Cable for the Traffic Department, in accordance with specifications issued by the Director of Purchasing and Vendors' tenders, as follows:

   (a) NEDCO, HAMILTON

   For approximately 12 500 meters of Aerial Traffic Cable at $3.311 per meter and 4 200 meters of Underground Traffic Cable at $2.71 per meter, plus 7% Provincial Sales Tax.

   (b) SHAWFLEX INC., REXDALE

   For approximately 7 500 meters of #14 Traffic Cable at $3.11 per meter, 3 500 meters of #9 Traffic Cable at $2.21 per meter and 5 500 meters of #7 Traffic Cable at $1.77 per meter, plus 7% Provincial Sales Tax.

   NOTE: (a) Lowest of eleven (11) tenders received.
   (b) Lowest of eleven (11) tenders received.
   Funds provided in Stock Materials Account #0394-3323.

4. That an Offer to Purchase the land of The Corporation of the City of Hamilton at the rear of 2418 Barton Street East having a total area of 2 394 square feet for the sum of $3 547 duly executed on February 2, 1987 by A. Pompeani Enterprises Ltd. and scheduled for closing on April 8th, 1987 be approved and completed.

NOTE: The subject property is composed of land at the rear of 2418 Barton Street East, more particularly described as Part 1 on Reference Plan 62R-8513 which is required for roadway purposes in the plan of subdivision known as Eastgate High. The purchase price is $3 547. A deposit of $354 is being held by the City Treasurer pending Council approval of this transaction.

In disposing of this property it is understood and agreed:

(a) that the Purchaser will place the subject lands in the proposed plan of subdivision known as Eastgate High and the said lands will be used for roadway purposes. The proposed plan of subdivision is to be registered by September 15th, 1987. If in default the said Part 1 will be reconveyed to the City of Hamilton immediately following September 15th, 1987 for the original purchase price without interest;

(b) that a one foot reserve will be established by A. Pompeani Enterprises Ltd. along the northerly boundary of the subject land, Part 1, to recover the cost of services;

(c) that prior to the commencement of construction in the subdivision the Purchaser at its cost will construct a frost wire fence along the City's southerly lot line satisfactory to the City. In this regard the PUrchaser will give a minimum of 72 hours notice to the Department of Public Works, City of Hamilton prior to the Commencement of the fence construction;

(d) that the Purchaser will sign the deed to him to give affect to the above paragraphs.

5. (a) That the "CANUSA GAMES - HAMILTON BRANCH" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from August 3, 1987 to August 10, 1987, subject to the policy guidelines and conditions approved by Council on October 29, 1985 and September 30, 1986, with the following message:

"30TH ANNIVERSARY CANUSA GAMES
AUGUST 7, 8 AND 9"

(b) That the "OPERA HAMILTON" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from May 4, 1987 to May 11, 1987, subject to the policy guidelines and conditions approved by Council on October 29, 1985 and September 30, 1986, with the following message:

"OPERA HAMILTON - ANDREA CHENIER
MAY 14TH AND MAY 16TH - CALL 527-7627"

(c) That the "SIXTH CANADIAN NATIONAL SQUARE AND ROUND DANCE CONVENTION" organization be permitted to display a promotional banner across Main Street West, in front of City Hall, from July 25, 1988 to August 8, 1988, subject to the policy guidelines and conditions approved by Council on October 29, 1985 and September 30, 1986, with the following message:

"WELCOME DANCERS TO HAMILTON-HUB OF THE GOLDEN HORSESHOE
AUGUST 4, 5, 6, 1988.
6TH CANADIAN NATIONAL SQUARE AND ROUND DANCE CONVENTION"

6. (a) That the City Solicitor be authorized and directed to prepare a By-law to incorporate part of Block "BX (1" Reserve) plan M-187 into Rosewell Street.

(b) That the City Solicitor be authorized and directed to prepare a By-law to incorporate part of Block 26 Plan 62M-462 into Parkwood Crescent.

(c) That the City Solicitor be authorized and directed to prepare a By-law to incorporate Block 33, Plan 62M-410 into Skyview Drive.

(d) i. That the City of Hamilton accept a deed to lands shown as Parts 5 and 6, Plan 62R-8461, being part of the future Berkindale Drive in the Riverdale East Neighbourhood, for the sum of $1.00.

ii. That the City Solicitor be authorized and directed to prepare a By-law for consideration by City Council to incorporate Parts 3 and 6 into the street allowance for Berkindale Drive when all outstanding charges associated therewith have been paid to the City and Region.

7. (a) That the City Solicitor be authorized and directed to prepare By-laws to establish the following City-owned properties as highways:

i. Roadway from the south end of Beddoe Drive to the Chedoke Golf Course Clubhouse;

ii. Roadway in the vicinity of Cochrane Road from the south limit of Greenhill Avenue to the King's Forest Clubhouse and King's Forest Park.

(b) That the appropriate officials be authorized to prepare and execute the required documents.

8. (a) That the submitted schedules for the estimated cost of services in "Aspen West - Phase 2", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and

(b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and

(c) That in the event the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

(d) The Final Survey Plan of Subdivision for "Aspen West - Phase 2" not be released for registration until the Final Survey Plan for "Aspen West - Phase 1" has been registered.

NOTE: Clause 1A(b) of the Eight Report of the Planning and Development Committee, as adopted by City Council on April 8, 1986, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owner of these lands is Benemar Construction Inc.

9. (a) That the City Solicitor be authorized and directed to make an application to a County Court Judge under Section 82 of the Registry Act R.S.O. 1980, for an order to stop-up and close the "East/West Alley between Main Street and King Street, from Strathcona Avenue to the North/South Alley"

(b) That the City Solicitor be authorized and directed to prepare and register the necessary deeds in favour of the abutting owners under Section 57 of the Surveys Act, R.S.O. 1980;

(c) That the Commissioner of Engineering be authorized to sign an affidavit setting out that no public funds have been expended on the alley to be closed;

(d) That documentation regarding the application to the County Court Judge be prepared by the applicant to the satisfaction of the City Solicitor and that the applicant be responsible for all fees payable in County Court;

(e) That the Applicant register a reference plan under the Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed portion is to be distributed among the abutting owners, and that the applicant deposit a reproducible copy of said plan, with the Regional Surveyor;

(f) That the abutting owners provide a 2m easement to Bell Canada, and Union Gas, with respect to their underground and/or aerial plant;

(g) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act.

10. (a) That the 1987 Reconstruction Program in the amount of $7 030 000 be approved, as appended hereto;

(b) That the necessary By-laws be prepared by the City Solicitor and the City Clerk be authorized and directed to advertise these By-laws as required by Section 301 of The Municipal Act, outlining the City's intention to proceed with the altering of the following streets"

i. East 12th Street from Queensdale Avenue to Fennell Avenue

ii. East 26th Street from Queensdale Avenue to Fennell Avenue

iii. Ferguson Avenue from 64 m north of Burlington Street to Burlington Street

iv. Glasco Avenue from Main Street to Queenston Road

v. Hillside Avenue from Glendee Road to Lawrence Road.

(c) That the Executive Committee recommend the amount and source of funds to be provided for this Capital Budget.

(d) That the Commissioner of Engineering be authorized to undertake these works on behalf of the City of Hamilton once all the necessary approvals have been received.

NOTE: The sidewalk portion of the 1987 Program has been tabled for further review by staff and will be presented at the next City Council meeting.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE 1987 RECONSTRUCTION PROGRAM AT A GROSS COST OF $7 030 000 LESS ANTICIPATED ROADWAY SUBSIDY IN THE AMOUNT OF $2 460 000 FOR THE NET AMOUNT OF $4 570 000 BE FINANCED FROM THE 1987 CAPITAL LEVY ACCOUNT #0376-0298. CARRIED.

11. That the application of Michael M. Mihailovich, Solicitor on behalf of the present owner(s) of 78 Primrose Avenue, Urban Native Homes Incorporated, to retain an inadvertent encroachment consisting of concrete steps and iron railings, 0.30 m by 1.22 m, be approved during the pleasure of City Council, provided:

(a) That the owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

(b) That a first year fee of $125 and subsequent annual fee of $20 be set for this privilege.

(c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

12. That the application of Michael M. Mihailovich, Solicitor on behalf of the present owner(s) of 114 Birch Avenue, Urban Native Homes Incorporated, to retain an inadvertent encroachment consisting of wooden steps 0.20 m by 1.52 m, be approved during the pleasure of City Council, provided:

(a) That the owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

(b) That a first year fee of $125 and subsequent annual fee of $20 be set for this privilege.

(c) That the Mayor, City Clerk and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.

13. (a) That the construction of a 1.5m wide independent concrete sidewalk on the east side of Upper Wentworth Street from Limeridge Road to Southpark Avenue as a local improvement on the initiative pursuant to Section 12 of The Local Improvement Act be approved.

Total Estimated Cost	$59 000
Owner's Share	$35 357
City's Share	$23 643

Reduction Under Section 28 of the Act	NIL
Estimated Cost per Metre	$64.00

(b) That the City Clerk and the City Treasurer be directed to give the necessary notice of the Council's intention to undertake these works.

(c) That the City Solicitor be directed to make application to the Ontario Municipal Board for approval of the described undertaking pursuant to Section 64 of the Ontario Municipal Board Act if no petition has been filed or an insufficient petition has been filed against the work as set forth in Section 12 of The Local Improvement Act.

(d) That the Director of Real Estate be authorized and directed to negotiate the purchase of an 8.25 m by 35.97 m strip of land in front of 1129 Upper Wentworth Street.

(e) That the Commissioner of Engineering be authorized to undertake these works on behalf of the City once all the necessary approvals have been received.

(f) That the Executive Committee recommend the amount and source of funds to be provided for this Capital Project.

THE EXECUTIVE COMMITTEE RECOMMENDS THAT THE CITY SOLICITOR BE AUTHORIZED TO MAKE APPLICATION TO THE ONTARIO MUNICIPAL BOARD FOR APPROVAL TO CONSTRUCT AN INDEPENDENT CONCRETE SIDEWALK ON UPPER WENTWORTH STREET, FROM LIMERIDGE ROAD TO SOUTHPARK AVENUE, EAST SIDE ONLY, AT AN ESTIMATED COST OF OWNER'S SHARE OF $35 357 AS WELL AS THE CITY'S SHARE OF $23 643 BY THE ISSUANCE OF DEBENTURES TOTALLING $59 000 FOR A PERIOD NOT TO EXCEED 15 YEARS, AND FURTHER THAT APPLICATION BE MADE TO THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH TO ISSUE DEBENTURES IN THE TOTAL AMOUNT OF $59 000 FOR A TERM NOT TO EXCEED 15 YEARS FOR THE ABOVE PROJECT. CARRIED.

14. (a) That a three-way stop control be implemented at the intersection of Southbend Road and Laurier Avenue; and

(b) That City Traffic By-law 66-100 be amended accordingly.

15. That the application by Old Country Restaurant to lease a portion of the boulevard of Balmoral Avenue South adjacent to 1360 King Street East be approved, provided that:

    (a) That the applicant pay the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current rate is $350 for parking spaces), plus taxes, if any, in addition to the $12 annual encroachment insurance charge approved by City Council on 1984 February 14.

    (b) That the owner pays a one time $25 registration fee, as approved by the City Council on 1986 January 14.

    (c) That the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of the road allowance for parking purposes.

    (d) That the driveway approaches, parking areas and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.

    (e) That the owner executes an agreement, satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

16. (a) That the Ottawa Street Business Improvement Association be authorized to bag the parking meters on the east side of Ottawa Street between Main and Cannon Streets on the following dates:

    - 1987 April 9, 10 and 11
    - 1987 May 21, 22 and 23
    - 1987 July 9, 10 and 11
    - 1987 August 27, 28 and 29
    - 1987 November 19, 20 and 21; and

    (b) That motorists be permitted to park free of charge at the parking meters during these same hours; and

    (c) That the Business Improvement Association pay to the City $58.20 per day to account for the income loss to the City.

17. (a) That, in accordance with the recommendations of the Hamilton-Wentworth Regional Police Department a school traffic officer be assigned to the intersection of Quigley Road and Albright Road; and

    (b) That the amount of $5 650 be added to the 1987 budget estimates to finance a school traffic officer at this location.

18. (a) That a "30 Minute Parking Time Limit, 8:00 a.m. to 8:00 p.m., Monday to Saturday" regulation be implemented on the north side of Aldridge Street, commencing at a point 72 feet west of Upper James Street and extending to a point 43 feet westerly therefrom; and
(b) That City Traffic By-law 66-100 be amended accordingly.

19. (a) That the existing "No Parking" regulation on the north side of Homewood Avenue adjacent to Earl Kitchener Public School be replaced with a "No Stopping" regulation; and
(b) That City Traffic By-law 66-100 be amended accordingly.

*20. That, beginning with Maynard Street and Brookstream Court, the City initiate a program of "phasing in" the repairs of approaches on a "complaint received" basis.

21. That the Chairman of the Transport and Environment Committee or his designate be authorized to attend the Annual Conference and Water Exposition in Montreal on March 4 - 7, 1987.

22. That Item 10 of the Nineteenth Report of the Transport and Environment Committee approved by City Council on November 11, 1986, which directed that a concrete curb be installed on the City road allowance directly in the centre of the triangular portion of road allowance where the driveways to Nos. 7 and 11 Kings Court overlap, be rescinded.

23. That leave be granted to introduce the following bills:

(a) B-8 By-law to close and sell a portion of Woodward Avenue, Part 1, Plan 62R-6327 and Part 1, Plan 62R-6641

(b) B-9 By-law to close and sell a portion of Chedoke Avenue, Part 2, Plan 62R-8153

(c) B-10 By-law to sell closed portion of Hill Street

(d) B-11 By-law to amend By-law 66-100 to Regulate Traffic

(e) B-12 By-law to amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

R. C. Prowse, Secretary
1987 February 16

*Section 20 Amended to Read:

20. That, beginning with Maynard Street and Brookstream Court, the City initiate a program of "phasing in" the repairs of approaches "in areas where there are the old standard mountable curbs" on a "complaint received" basis.

Recorded Votes, See Page 298

ID # 1098D (35)

Referred to in Section 10
of the Fourth Report of
the Transport and Environment Committee.

CITY OF HAMILTON

1987 RECONSTRUCTION/RESURFACING PROGRAM

PREPARED BY

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

TRANSPORTATION DEPARTMENT

JANUARY 1987

February 18, 1987

Contents	Page		Estimated Cost
A. Roads & Abutting Sidewalks	1-5		$5,406,000
B. Sidewalks Only	6-7		1,523,000
C. Alleys	8		101,000
		TOTAL	$7,030,000
D. Supplementary List (Projects to be done in 1987 if residual funds are available)	9-11		$2,733,000

CITY OF HAMILTON 1987 RECONSTRUCTION/RESURFACING PROGRAM

A. ROADS & ABUTTING SIDEWALKS

Street	From	To	Length	Existing Width	Proposed Width	Estimated Cost	Proposed Improvements
Cathcart Street	North End	Cannon	220m	9.1m	9.1m	$141,000	- road improvement - sidewalk reconstruction (both sides) 1986 carry over
Central Ave.	Rothsay	Kensington	73m	7.3m	7.3m	36,000	- road improvement sidewalk reconstruction - (both sides) - 1986 carry over
Chedoke Avenue	Aberdeen	Hillcrest	600m	7.8m	7.8m	203,000	- road improvement - in conjunction with - storm sewers
Depew Street	Burlington	Gertrude	330m	8.3m-12.2m	8.3m-12.2m	228,000	- road improvement sidewalk reconstruction - 1986 carry over
East 11th Street	Queensdale	South End	385m	7.3m	7.3m	205,000	- road improvement - sidewalk reconstruction (both sides) - 1986 carry over
East 16th Street	Inverness	Queensdale	240m	9.1m	9.1m	102,000	- road improvement - sidewalk reconstruction (both sides)
East 26th Street	Queensdale	Fennell	460m	7.3m	8.5m	265,000	- road improvement & widening 0.6m each side - sidewalk reconstruction (both sides)

A. ROADS & ABUTTING SIDEWALKS

Street	From	To	Length	Existing Width	Proposed Width	Estimated Cost	Proposed Improvements
Ferguson Avenue	64m north of Burlington	Burlington	64m	7.3m	11.0m	$ 62,000	- road & curb improvement and widening (3.7m west side) - in conjunction with local improvement
Glassco Avenue	Main	Queenston	210m	7.3m	8.5m	127,000	- road improvement & widening - 0.6m each side - sidewalk reconstruction (both sides
Hillside Avenue	Glendee	Lawrence	98m	7.3m	8.5m	64,000	- road improvement & widening - 0.6m each side - sidewalk reconstruction (both sides)
Houghton Avenue	Monterey	King	220m	9.1m	9.1m	127,000	- road improvement - sidewalk reconstruction (both sides) - in conjunction with storm sewers
James Street	Guise	Burlington	105m	12.1m	12.1m	106,000	- road improvement - sidewalk reconstruction & repair (both sides)

CITY OF HAMILTON 1987 RECONSTRUCTION/RESURFACING PROGRAM

A. ROADS & ABUTTING SIDEWALKS

Street	From	To	Length	Existing Width	Proposed Width	Estimated Cost	Proposed Improvements
Keswick Court	King	South End	175m	8.5m	8.5m	$112,000	- road improvement - sidewalk & curb reconstruction (both sides) - 1986 carry over
King William St.	Emerald	Wentworth	430m	7.5m-9.0m	7.5m-9.0m	253,000	- road improvement - sidewalk reconstruction (both sides) - 1986 carry over
Macauley Street	Bay	Hughson	375m	8.6m	8.6m	207,000	- road improvement - sidewalk reconstruction (both sides) - in conjunction with storm sewers
Merchison Ave.	Kenilworth	Division	265m	7.3m	7.3m	151,000	- road improvement - sidewalk reconstruction (both sides) - 1986 carry over
Monterey Ave.	Graham	Wexford	160m	7.3m	7.3m	71,000	- road improvement - sidewalk reconstruction and repair (both sides) - in conjunction with storm sewers
Montrose Ave.	Rosedale	Cochrane	390m	9.6m	9.6m	295,000	- road improvement - sidewalk reconstruction & repair (both sides) - 1986 carry over

CITY OF HAMILTON 1987 RECONSTRUCTION/RESURFACING PROGRAM

A. ROADS & ABUTTING SIDEWALKS

Street	From	To	Length	Existing Width	Proposed Width	Estimated Cost	Proposed Improvements
Park Row	Edinburgh	Cannon	285m	5.5m	7.0m	$155,000	- road improvement & widening (1.5m on park side of each leg) - sidewalk reconstruction - 1986 carry over
Parkview Drive	Franklin	Bond	215m	7.3m	7.3m	145,000	- road improvement - sidewalk reconstruction & repair (both sides) - 1986 carry over
Ravenscliffe Ave.	Aberdeen	South End	440m	6.0m-7.4m	6.0m-7.4m	137,000	- road improvement - in conjunction with storm sewers
St. Ann Street	Barton	Solidarnosc	85m	7.3m	7.3m	48,000	- road improvement - sidewalk reconstruction (west side)
St. Olga Street	Barton	Solidarnosc	85m	7.3m	7.3m	54,000	- road improvement - sidewalk reconstruction (both sides)
Senator Avenue	Barnesdale	Lottridge	160m	7.4m	7.4m	97,000	- road improvement - sidewalk reconstruction (both sides) - 1986 carry over

CITY OF HAMILTON 1987 RECONSTRUCTION/RESURFACING PROGRAM

A. ROADS & ABUTTING SIDEWALKS

Street	From	To	Length	Existing Width	Proposed Width	Estimated Cost	Proposed Improvements
Smith Avenue	Barton	Cannon	370m	7.4m	7.4m	204,000	- road improvement - sidewalk reconstruction (both sides) - 1986 carry over
Sterling Street	Forsyth	North Oval	675m	13.7m	13.7m	726,000	- road improvement - curb repair (both sides) - 1986 carry over
Strathearne Ave.	630m north of Burlington	95m north of Burlington	535m	12.2m	12.2m	276,000	- road improvement - curb repair & reconstruction (both sides) - 1986 carry over
Upper Kenilworth	Fennell	Broker	445m	14.0m	14.0m	407,000	- road improvement - 1986 carry over
Vickers Road	East 16th	Upper Wentworth	365m	8.5m	8.5m	214,000	- road improvement - sidewalk reconstruction & repair (both sides)
Wexford Avenue	Monterey	King	250m	7.3m	7.3m	130,000	- road improvement - sidewalk reconstruction (both sides) - in conjunction with storm sewers
Woodleigh Ave.	Beach	McAnulty	145m	7.3m	7.3m	58,000	- road improvement - sidewalk reconstruction (west side) - in conjunction with storm sewers

B. SIDEWALKS

Street	From	To	Side	Length	Estimated Cost	Remarks
Guise Street	James	John	South	250m	$ 78,000	- 1986 carry over - in conjunction with storm sewers
Kenilworth Ave.	Main	King	Both	800m	155,000	- Regional Road
King Street	West	Victoria	Both	195m	48,000	- Regional Road
	Victoria	East	North	100m	20,000	
	East	Emerald	Both	180m	45,000	
	Emerald	Tisdale	South	105m	26,000	
	Tisdale	Wentworth	Both	550m	117,000	
King Street	Wentworth	Sanford	North	205m	48,000	- Regional Road
	Wentworth	33m west of Sanford	South	170m	39,000	
	Arthur	Stirton	North	60m	14,000	
	Burris	Holton	South	135m	39,000	

B. SIDEWALKS

CITY OF HAMILTON 1987 RECONSTRUCTION/RESURFACING PROGRAM

Street	From	To	Side	Length	Estimated Cost	Remarks
Main Street	Kensington	90m west of Ottawa	North	225m	$ 48,000	- Regional Road
	London	Houghton	North	365m	71,000	
	Kenilworth	Crosthwaite	Both	135m	23,000	
	Crosthwaite	Barons	South	210m	25,000	
Ottawa Street	Barton	Cannon	Both	800m	271,000	- reconstruct & repair (both sides) - B.I.A.
Parkdale Avenue	Melvin	Britannia	West	155m	37,000	- Regional Road
	Roxborough	50m south of Main	East	415m	92,000	
Upper Gage Ave.	Concession	Brucedale	Both	1400m	218,000	- reconstruct; repair - Regional Road
Upper James St.	Queensdale	Fennell	Both	800m	109,000	- reconstruct; repair - Regional Road

C. ALLEYS

Streets Between	From	To	Length	Estimated Cost	Remarks
Herkimer & Stanley	Dundurn	Locke	390m	$67,000	- 1986 carry over
Homewood & Stanley	Kent	Stanley (L-shaped)	190m	34,000	- 1986 carry over

D. SUPPLEMENTARY LIST

ROADS AND ABUTTING SIDEWALKS

Street	From	To	Length	Existing Width	Proposed Width	Estimated Cost	Proposed Improvements
Agnes Street	Barton	Campbell	210m	7.3m	7.3m	$123,000	- road improvement - sidewalk reconstruction and repair (both sides)
Orphir Road	Pottruff	Rainbow	420m	8.5m	8.5m	305,000	- road improvement - sidewalk repair (both sides)
Bobolink Road	Upper Wellington	Cardinal	395m	8.5m	8.5m	227,000	- road improvement - sidewalk repair and reconstruction (both sides)
Burlington St.	James	Wellington	835m	12.8m	12.8m	782,000	- road improvement & curb repair
Catharine Street	Burlington	Macauley	225m	8.6m	8.6m	151,000	- road improvement - sidewalk reconstruction (both sides)
East 12th Street	Queensdale	Pennell	460m	7.3m	8.5m	272,000	- road improvement & widening 0.6m each side - sidewalk reconstruction (both sides)
Ferrie Street	James Bay	Hughson MacNab	105m 110m	8.9m 8.9m	8.9m 8.9m	56,000 72,000	- road improvement - sidewalk reconstruction (both sides)

D. SUPPLEMENTARY LIST

ROADS AND ABUTTING SIDEWALKS

Street	From	To	Length	Existing Width	Proposed Width	Estimated Cost	Proposed Improvements
Inchbury Street	Tecumseh	30m north of York	255m	7.6m	7.6m	$143,000	- road improvement - sidewalk reconstruction (both sides)
MacNab Street	Guise	Strachan	670m	8.2m	8.2m	393,000	- road improvement - Burlington to Strachan - sidewalk reconstruction - (east side) - Guise to Burlington
Stanley Avenue	Dundurn	Locke	395m	7.3m	7.3m	152,000	- road improvement

CITY OF HAMILTON 1987 RECONSTRUCTION/RESURFACING PROGRAM

C. SUPPLEMENTARY LIST

ALLEYS

Streets Between	From	To	Length	Estimated Cost	Remarks
Emerald & Oak	Barton	Cannon	365m	$57,000	- 1986 carry over

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council.

The Parks and Recreation Committee presents its FOURTH Report for 1987 and respectfully recommends:

1. (a) That permission be granted to call for tenders to replace the P.A. System at the Ivor Wynne Stadium, to include, separate prices for the following features at an estimated cost of approximately $60 000.

   (i) Main System
   (ii) Press Box Audio
   (iii) North Stand Microphone & Jacks
   (iv) Concession Booth Radio Broadcast
   (v) Production Intercom

   (b) That the funding for same, be financed from the Ivor Wynne Stadium Capital Budget, Account #0408-C3625.

   NOTE: For the information of the members of City Council, sufficient funds are available in the above noted account, the balance being $693 470.

2. That the printing of the Chedoke and Kings Forest Golf Course score cards include the Amstel Logo under the course lay-out map for the 1987 golf season on the understanding that Amstel will pay the costs of printing same, estimated to be $2 000.

3. That the Parkette located on Mountain Brow Boulevard., at Rendell Boulevard, be named the Bill Foley Parkette.

*4. (a) That the green fees for Chedoke Golf Course, as approved by City Council on 1986 October 14 be amended as follows:

	Proposed 1987	Proposed 1988
CHEDOKE-MARTIN		
Weekday	$12 to $11	$14 to $13
Weekend/Holiday	$13 to $12	$15 to $14
Pensioner	$ 8 to $ 7	$10 to $ 9
CHEDOKE-BEDDOE		
Weekday/Twilight	$10 to $11	$12 to $13
Weekend/Holiday/Twilight	$11 to $12	$13 to $14

*Recorded Vote, See Page 298

(b) That the members from Kings Forest Golf Course and Chedoke Golf Course be able to purchase green fees at Chedoke or Kings Forest at the Pensioner rate.

NOTE: For the information of the members of City Council, the Golf Sub-Committee at its meeting of 1987 January 7 reviewed the green fees for Chedoke Golf Course, as approved by City Council for 1987 and 1988.

Mr. Goodes, Pro Manager and Mr. Giles, President of the Men's section, were both of the opinion that because of a small difference in green fees between the Martin course and the Beddoe course, the Beddoe course would be over-crowded and over-utilized, which may result in maintenance problems. They suggested that the green fees on the Martin be reduced so as to encourage the general public to play on this course. The Committee concurred with their suggestion and made the above-mentioned recommendation.

The Committee also considered the suggestion that in order to encourage more green fee participation from members of Kings Forest or Chedoke, that the green fees for those members wishing to play at the other civic golf course, be at the Pensioner rate.

5. (a) That the Proposal Call for Food Services at Dundurn Castle and Park, as appended hereto, be approved.

(b) That the Proposal Call be advertised in The Hamilton Spectator and The Globe & Mail.

6. That the Chairman of the Parks and Recreation Committee or his delegate attend the Ontario Parks Association Conference, to be held 1987 July 22-25, in the City of Ottawa.

7. That a comprehensive assessment of the Huntington Park Recreation Centre for the purpose of submitting recommendations and cost estimates to include the following, be authorized:

(a) Major Maintenance
(b) Energy Conservation
(c) Upgrading and Improvements to the existing facility and further

The feasibility of and cost estimates for adding a 25 metre pool together with adequate changerooms and washrooms and filling in the existing non-conforming pool to a maximum 3 feet depth to accommodate pre-school, water exercises, disabled and senior citizens activity.

8. That the rental rate for those groups wishing to rent tennis courts operated by the Culture and Recreation Department be increased from $3 per 1 or more courts for a 4 hour period to $3 per 1 or more courts for the first hour and $2 per hour thereafter.

NOTE: For the information of the members of City Council, court availability for rental purposes would be directed related to Community use and may vary from one facility to another.

Such users would include the Board of Education, Physical Education classes, Y's and private groups for special tournaments.

There has been no fee increase since the initiation of the initial fee and the rentals vary from 1 to 4 hour periods.

It would continue to be understood that the courts would be rented by the Department, when not in demand for community use.

* 9. That, subject to an agreement being entered into between the City of Hamilton and the Lion's Club of Hamilton East, satisfactory to the City Solicitor, the request of the Lion's Club of Hamilton East to hold a "full scale authentic rodeo" at Ivor Wynne Stadium between 1987 June 25 and 28, be approved.

Respectfully submitted,

ALDERMAN J. GALLAGHER, ACTING CHAIRMAN
PARKS AND RECREATION COMMITTEE

R. C. Prowse, Secretary
1987 February 17

*Recorded Vote, See Page 299

FOOD SERVICES FOR DUNDURN CASTLE AND PARK

The City of Hamilton is interested in receiving proposals for the provision of food services at Dundurn Castle and Park on a long term basis. It is the intent of City Council that such services must include a medium priced family style menu appreciating the many visitors including families and senior citizens on bus tours that are attracted to this nationally recognized historic site.

You are being invited to submit your proposal based on your own suggested operating concept and business management plan which may or may not involve support from the City.

For instance, you may wish to propose that:

a) you would consider operating the existing MacNab Arms facilities with or without financial support from the City for improvements and operating costs, or

b) you would consider operating in new facilities constructed in the stable building with or without financial support from the City for capital and operating costs

c) you would consider operating the concession facilities in pavilion in conjunction with either of the above.

The City will be willing to review or consider any and all suggestions for the type of service being proposed including fine dining during the evenings provided that the moderately priced family style menu is available for the tourists during the day. Your proposal should be detailed in all aspects as it will be reviewed by a Parks and Recreation Committee consisting of elected officials and staff. After the initial review, it is intended that a "short list" of proponents be developed for a possible interview.

The successful operator will be recommended to the Parks and Recreation Committee and then to City Council. If approved, the successful operator must be prepared to:

a) Enter into a lease agreement
b) Pay all realty and business taxes
c) Provide insurance satisfactory to the City

The term of the agreement is open to negotiation and is dependent on the Capital commitment submitted by the bidder.

Your proposal should clearly include the following:

1. The operational concept -
   a) Design or theme of the facilities
   b) Time period of operation - daily, weekly, monthly, seasonal, etc.

2. Use of Facilities
   a) Clearly indicate which facilty(s) is being proposed for use,
      i) existing MacNab Arms and Pavilion, or
      ii) the Stable building and Pavilion
   b) Proposed construction and/or reconstruction concepts, if any
   c) The payment to be made to the City if
      i) Operator assumes all capital and operating costs, or
      ii) Operator proposes City involvement in sharing of the capital and/or operating costs. Please specify the details and percentage of this involvement

3. Sample menu

   If several types of food services are proposed,(eg. dining room, fine dining room, cafeteria/fast food, catering, box lunch options), draft menu(s) for each with estimated prices, are to be submitted.

4. Term of Lease

   This term is fully negotiable but the minimum period that you require must be stated.

5. Your own (or your company's) experience and background in the food services field.

   Details to include: existing and previous locations, years of service, size of operation and concepts.

For your information:

1. Plans for existing Restaurant, the Stable building and Pavilion are available on request.

2. The Castle and Stable Building have been designated under the Ontario Heritage Act. Any alterations or additions to the exterior must receive prior written approval. This would include signs, awnings and any permanent fixtures.

3. During 1986, the following details on attendance for the Dundurn Castle and Park and the Military Museum are provided

_____*_____ Tourists

_____*_____ School Children

_____*_____ Bus Tour Groups, primarily Senior Citizens

4. The deadline date for the submission of proposals is _____*_____

(* Details to be inserted before the document is sent out)

If you have any further questions, please contact Mr. T. Bradley, 526-2799 or Mr. D. Farquhar 526-4620.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its **FOURTH** Report for 1987 and respectfully recommends:

1. That approval be given to Zoning Application 86-99, G. F. Vulker, prospective owner, requesting a change in zoning from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District to permit the development of the subject lands for 24 townhouses and a 3-storey multiple dwelling containing a maximum of 24 units, for the property located at 418 Limeridge Road East, as shown on the attached map marked as **APPENDIX "A"** on the following basis:

   a) The the subject lands be rezoned from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District;

   b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-13B;

   c) That the proposed change in zoning is in conformity with the City of Hamilton Official Plan;

   d) That the Bruleville Neighbourhood Plan be amended from "Attached Housing" to "Low Density Apartments".

   EXPLANATORY NOTE:

   The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District for the property located at No. 418 Limeridge Road East.

   The effect of the By-law is to permit the development of the subject lands for approximately 24 townhouses and a 3 storey multiple dwelling containing a maximum of 24 units.

* 2. (a) That the "Park and Recreational" Designation in the Ainslie Wood West Neighbourhood Plan for the lands at 1884 Main Street West be deleted.

   (b) That the neighbourhood plan designations for the table lands on this site be amended from "Park and Recreational" and "Low Density Apartments" to "Medium Density Apartments", as shown on the attached map.

*Recorded Vote, See Page 299

* 3. (a) That approval be given to Zoning Application 86-103, Tambec Management Ltd., prospective owner, for a change in zoning from "B-1" (Suburban Agriculture and Residential, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District and "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, for property located at No. 1884 Main Street West, as shown on the attached map marked as **APPENDIX "B"**, on the following basis:

i) That the lands described as Block "1" be rezoned from "B-1" (Suburban Agriculture - Residential, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District;

ii) That the lands described as Block "2" be rezoned from "B-1" (Suburban Agriculture - Residential, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District;

iii) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variance as a special requirement:

(1) Notwithstanding Section 11(3)(iii)(b) of By-law No. 6593 no building or structures, except a fence shall be erected less than 7.6 m from the westerly boundary of Block "2".

iv) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as schedule S-1008, and that the subject lands on Zoning District M W-51, be notated S-1008;

v) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-51; and,

vi) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;

vii) That the Ainslie Wood West Neighbourhood Plan be amended by redesignating the southerly half of Block "2" from "Park and Recreation" to a "Medium Density Apartment" designation, and the northerly half of Block "2" from "Low Density Apartments" to "Medium Density Apartments."

*Recorded Vote, See Page 299

(b) That approval of the subject zoning by-law be withheld until:

The limits of the lands being rezoned to an "A" (Conservation, Open Space, Park and Recreation) District, shown as Block "1" on the attached **APPENDIX "B"**, have been determined by a survey line established in the field to the satisfaction of the Hamilton Region Conservation Authority.

EXPLANATORY NOTE:

The purpose of the By-law is to provide for the following changes in zoning for property located at No. 1884 Main Street West as shown on the attached map marked as **APPENDIX "B"**:

Block 1 — Change from "B-1")Suburban Agriculture - Residential, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District;

Block 2 — Change from "B-1" (Suburban Agriculture - Residential, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District.

The effect of the By-law is to permit either an apartment building or a townhouse development on the front portion of the site adjacent to Main Street West (Block "2") while the remaining lands at the rear of the site (Block "1") are to remain for open space purposes.

In addition, the By-law provides for the following variance as a special requirement:

To prohibit any buildings or structures, except a fence to be erected less than 7.6 m from the westerly boundary of Block "2" (Section 11(3)(iii)(b);

4. That approval be given to Zoning Application 86-110, Parshotan Dhunna, owner, requesting a further modification to the "H" (Community Shopping and Commercial, etc.) District to permit the conversion of the vacant warehouses for 28 apartment units and a retail grocery store having a floor area of 414.53 m^2 for the property located at Nos. 81-91 Cannon Street West, as shown on the attached map marked as **APPENDIX "C"**, on the following basis:

a) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of By-law No. 6593 applicable to the subject properties be modified to include the following as special requirements:

i) That notwithstanding Section 14(1), a commercial use shall be permitted within an existing building in conjunction with the residential dwelling units;

ii) That notwithstanding Section 14(1a) a maximum of 28 apartment units shall be permitted on the site;

b) That notwithstanding Section 18A, Table 1, Column 2 (g)(i), a minimum of 13 parking spaces shall be provided on the site;

c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-762a, and that the subject land as Zoning District Map W-4 be notated as S-762a;

d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-4;

e) That the proposed change in zoning is in conformity with the City of Hamilton Official Plan; and,

f) That By-law 79-275 establishing Site Plan Control be amended by adding the subject lands as Schedule "A".

EXPLANATORY NOTE;

The purpose of this By-law is to provide for a further modification to the "H" (Community Shopping and Commercial, etc.) District provisions for the property located at Nos. 81-91 Cannon Street West.

The effect of this By-law is to permit the conversion of the existing vacant warehouses for 28 apartment units and a retail grocery store having a floor area of 414.53 m^2.

In addition, this By-law provides for the following variances:

1) to permit the conversion of the vacant warehouse buildings for a maximum of 28 apartment units whereas the by-law only permits a conversion up to a maximum of 10 units in each building for a maximum of 20;

2) to require a minimum of 13 parking spaces whereas the by-law requires seven parking spaces to be provided for the eight additional converted units;

3) to require a commercial use to be provided in conjunction with the residential use whereas the by-law does not contain a provision such as this.

5. That approval be given to an amended Zoning Application 86-107, Mr. R. Quinn, owner for a change in zoning of Block 1 from "AA" (Agricultural) District to "DE-3" - "H" (Multiple Dwellings) Holding District, and Block 2 from "C" (Urban Protected Residential, etc.) District to "DE-3" - "H" (Multiple Dwellings) Holding District, for property at No. 1489 to 1495 Upper Gage Avenue, as shown on the attached map marked as **APPENDIX "D"**, on the following basis:

a) That the amending By-law apply the holding provisions of Section 35(1) of the Planning Act R.S.O. to the subject lands, by introducing the holding symbol "H" as a suffix to the

proposed zoning District. The holding provision will prohibit the development of the subject lands until municipal sewers are installed.

Removal of the holding restriction shall be conditional upon the installation of municipal sewers serving the subject lands and passage of an amending By-law. City Council may remove the "H" symbol, and thereby give effect to the "DE-3" provisions as stipulated in this by-law by enactment of an amending by-law once municipal sewers have been installed.

b) That the lands described as Block 1 be rezoned from "AA" (Agricultural) District to "DE-3" - "H" (Multiple Dwellings) Holding District;

c) That the lands described as Block 2 be rezoned from "C" (Urban Protected Residential, etc.) District to "DE-3" - "H" (Multiple Dwellings) Holding District;

d) That the "DE-3" (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593 applicable to the lands described as Blocks 1 and 2 be modified to include the following variance as a special requirement:

   i) Notwithstanding Section 10C(2) of By-law No. 6593 the maximum building height shall not exceed four storeys.

e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1009, and that the subject lands on Zoning District Map E-49D be notated S-1009;

f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49D;

g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

EXPLANATORY NOTE:

The amending By-law establishes the holding provisions of Section 35(1) of the Planning Act, R.S.O. on the subject lands, by introducing the holding symbol "H" as a suffix to the proposed zoning District. The holding provision will prohibit the development of the subject lands until municipal sewers are installed. Removal of the holding restriction shall be conditional upon the installation of municipal sewers and the passage of an amending By-law by City Council to remove the "H" symbol, and thereby give effect to the "DE-3" provisions as stipulated in the amending By-law outlined below as follows:

The purpose of the By-law is to provide for the following changes in zoning for properties at No. 1489 to 1495 Upper Gage Avenue, as shown on the attached map marked as **APPENDIX "D".**

Block 1 Change from "AA" (Agricultural) District to "DE-3" - "H" (Multiple Dwellings) Holding District.

Block 2 Change from "C" (Urban Protected Residential, etc.) District to "DE-3" - "H" (Multiple Dwellings) Holding District.

The effect of the By-law is to establish the appropriate zoning to permit a 32 unit apartment development.

In addition, the By-law provides for the following variances as special requirements:

to permit a maximum building height of four stories as opposed to the permitted maximum of three stories (Section 10C(2).

6. That an Offer to Purchase the lands of The Corporation of the City of Hamilton located at 163 Lanark Street duly executed on January 22, 1987, by the Purchaser, Alan Robert Davis and scheduled for closing on April 3, 1987 be approved and completed.

Note: The completion of this Offer to Purchase in conditional upon the following terms being met:

1. The Purchaser at his own expense obtaining soil tests to determine whether the load bearing capabilities of the subject lands are suitable for the construction of the Purchaser's proposed building.

2. The Purchaser arranging suitable financing for the project.

3. The Purchaser satisfying himself as to whether he may be able to obtain a building permit for the proposed structures on the subject lands.

Those conditions contained in paragraphs 1 through 3 are for the benefit of the Purchaser and may be waived at his option, failing the satisfaction of said clauses by the Purchaser, this Offer to Purchase shall become null and void and the Purchaser's deposit shall be returned in full without interest or penalty.

The purchase price if $84 375. A deposit cheque in the amount of $8 437., is being held by the City Treasurer pending Council approval.

The property is composed of a parcel of land located on the southern end of Lanark Street having a frontage of 122.14 feet and containing an area of 1.35 acres and more particularly described as Part 1, Plan 62R-3948 (163 Lanark Street).

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto, as **APPENDIX "E"**.

7. That upon completion of the sale of part of Lot 11, Plan M-352, Upper Ottawa Street to Cayuga Materials and Construction Limited, the City will pay a 5% real estate commission (estimated at $5 000.) to Chambers & Company Limited whose agent, Mr. Matt Blair acted in this matter.

8. That an Offer to Purchase the lands of The Corporation of the City of Hamilton located at 29 Keefer Court (Kenora Industrial Park) duly executed on February 3, 1987, by the Purchasers, Delamar Investments Inc., and scheduled for closing on November 25, 1987, be approved and completed.

The purchase price is $72 100. A deposit cheque in the amount of $3 000., is being held by the City Treasurer pending Council approval.

It is understood and agreed that the Vendor, upon completion of this transaction will pay a 5% real estate commission to Jack Dunn Real Estate Ltd., whose agent, Mr. Jack Dunn acted in this matter.

The property is composed of a parcel of land located on the southern limit of Keefer Court having a frontage of 37.82 metres by a depth of 72.934 m / 67.321 m and containing an area of 4,186.2 m^2 and more particularly described as Parts 7 and 8, Plan 62R-6932 (29 Keefer Court).

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto as **APPENDIX "F"**.

9. That an Offer to Purchase the lands of The Corporation of the City of Hamilton located at 35 Keefer Court (Kenora Industrial Park) duly executed on February 3, 1987 by the Purchasers, Ironwood Design and Construction Ltd., and scheduled for closing on June 12th, 1987, be approved and completed.

The purchase price is $47 355. A deposit cheque in the amount of $2 000., is being held by the City Treasurer pending Council approval.

It is understood and agreed that the Vendor, upon completion of this transaction, will pay a 5% real estate commission to Jack Dunn Real Estate, whose agent, Mr. Jack Dunn acted in this matter.

The property is composed of a parcel of land located on the northern limit of Keefer Court having a frontage of 40 metres by a depth of 67.321 m/68.615 m and containing an area of 2737.9 m^2 and more particularly described as Parts 9 and 10, Plan 62R-6932 (35 Keefer Court).

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto as **APPENDIX "G"**.

10. That the Building Commissioner be authorized to issue demolition permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:

    a) 279 Jackson Street West

    b) 1255 Upper Gage Avenue

11. (a) That a rehabilitation loan in the amount of $29 493., be approved for Mr. Roy Bennett, owner of a Second Level Lodging Home at 160 Park Street South. The loan is amortized over a ten-year period at three (3) percent interest and secured by a Lien on Title.

    (b) That a loan increase in the amount of $650., be approved for Valerie and Errol Williams, owners of a Second Level Lodging Home at 170 Wentworth Street South. The total loan would now be $11 975.

12. That the Department of Community Development be authorized to process grants and/or loans in an amount not to exceed $7 500. the actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under the Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P).

    That the Officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process the following loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and Hamilton Rehabilitation Programme.

    Ontario Home Renewal Programme

    1. P. Moss
       19 Whitfield Avenue

    2. T. Best
       196 Crockett Street

    3. R. Sharpe
       17 Gladstone Avenue

    4. O. Lambert
       18 Newlands Avenue

    5. F. Richard
       173 Craigroyston Road

6. E. Pendlebury
173 Craigroyston Road

7. U. Garton
95 Glassco Avenue North

8. A. Chandler
1674 King Street East

13. a) That, in accordance with Schedule "A", attached hereto, as **APPENDIX "H"** the 1987 operating budget for Ottawa Street B.I.A. be approved in the amount of ninety-nine thousand dollars ($99 000.);

b) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1987 budget as referenced in (i);

c) That, the Schedule of Payments - 1987, attached hereto as **APPENDIX "I"** not be approved; and,

d) That the alternate Schedule of Payments, attached hereto as **APPENDIX "J"** be approved.

Note: The Schedule of Payments in **APPENDIX "J"** more accurately reflects the cash flow requests of the Ottawa Street B.I.A.

14. a) That, the summary and recommendations for Stage 1 of Phase IV of the Downtown Hamilton Action Plan (attached as **APPENDIX "K"** prepared by Moorhead Fleming Corban McCarthy be approved; and,

b) That, the firm of Moorhead Fleming Corban McCarthy, Landscape Architects and House Planners, be retained to undertake Stage II of Phase IV (as per attached **APPENDIX "L"** at a total cost of $15 500.

15. (a) The Corporation of the City of Hamilton accept the sum of $29 924.71 as cash payment in lieu of 5% dedication in connection with "Bayview Glen Estates".

(b) The Corporation of the City of Hamilton accept the sum of $2 920., as cash payment in lieu of 5% dedication in connection "Roma Gardens - Phase 2".

(c) The Corporation of the City of Hamilton accept the sum of $17 564., as cash payment in lieu of 5% dedication in connection with "Aspen West - Phase 1".

(d) The Corporation of the City of Hamilton accept the sum of $12 116., as cash payment in lieu of 5% dedication in connection with "Villa D'Este Gardens - Phase 2".

16. (a) That the Department of Buildings be authorized and directed to call for tenders from private enterprise to carry out initial inspections under the various Loans programmes, to provide schedules of work, to provide inspections required for interim draw payments and inspections for final approvals.

(b) That $200 000. (estimated gross cost) be provided in the Department of Community Development Department's budget to carry out the initial inspections.

(c) That the Finance Committee be requested to recommend a method of financing this additional expenditure.

EXPLANATORY NOTE:

For the information of the members of City Council, the Building Department will continue to process as many applications as is physically possible with the existing resources. The Building Department will carryout the required inspections under the Building Code for those projects inspected by private enterprise.

17. **That leave be granted to introduce the following Bills:**

D-18 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 200 Chester Avenue (James MacDonald School).

D-19 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 80 John Street North.

D-20 By-law to Repeal By-law No. 79-18 to Re-Apply Part Lot Control to part of "David-Ben Survey" Registered Plan of Subdivision.

D-21 By-law to Authorize a Tariff of Fees.

D-22 By-law to Designate The Crown Point West Neighbourhood and Portion of The Stipeley Neighbourhood as a Community Improvement Project Area.

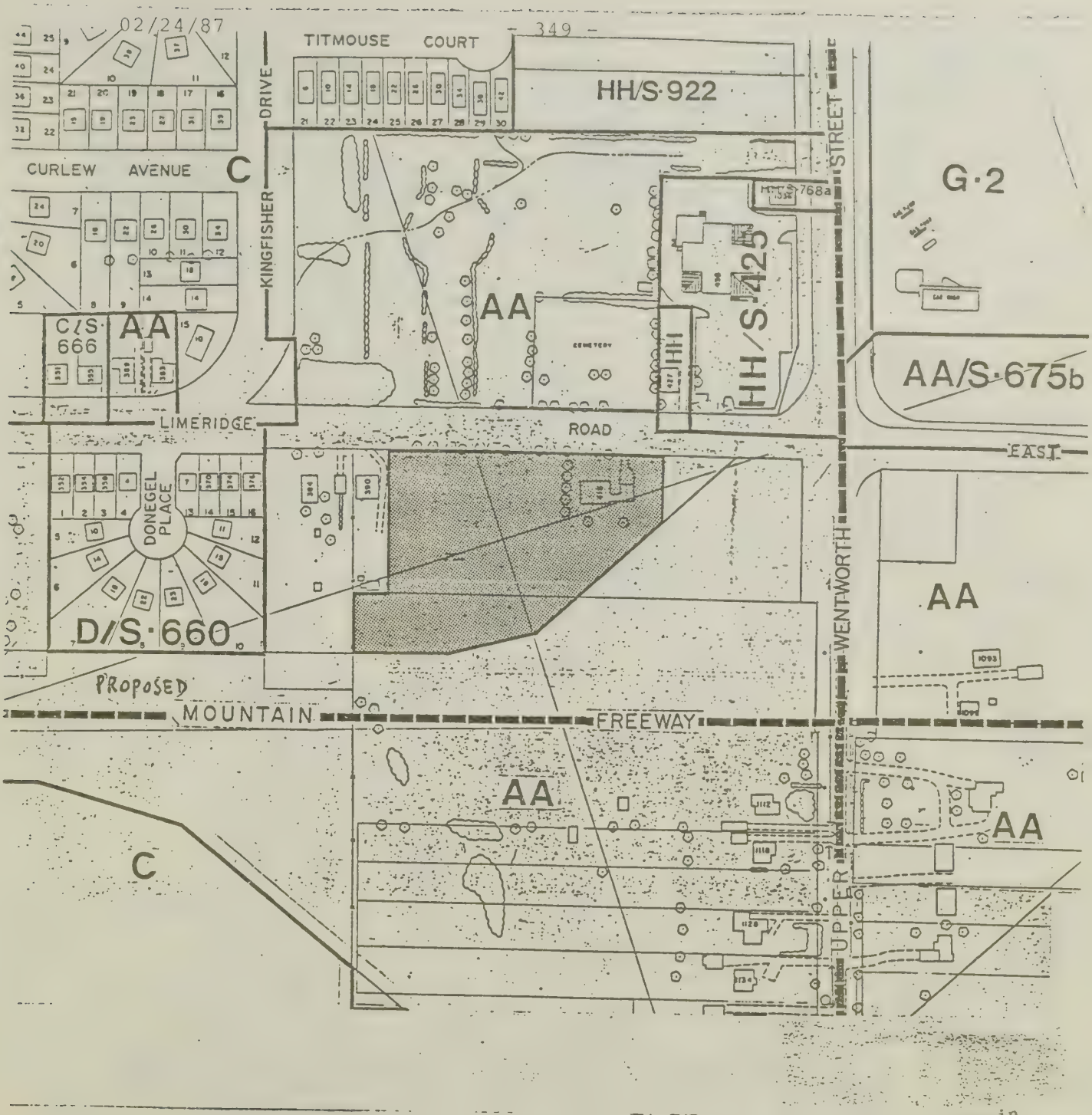
D-23 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at Municipal No. 50 Isabel Avenue and No. 169 Queenston Road and No. 51 Isabel Avenue and No. 181 Queenston Road.

D-24 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at the North-West Corner of Main Street West and Caroline Street South, Municipally known as 174 Main Street West.

Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN,
PLANNING AND DEVELOPMENT COMMITTEE

John Thompson, Secretary,
Planning and Development Committee



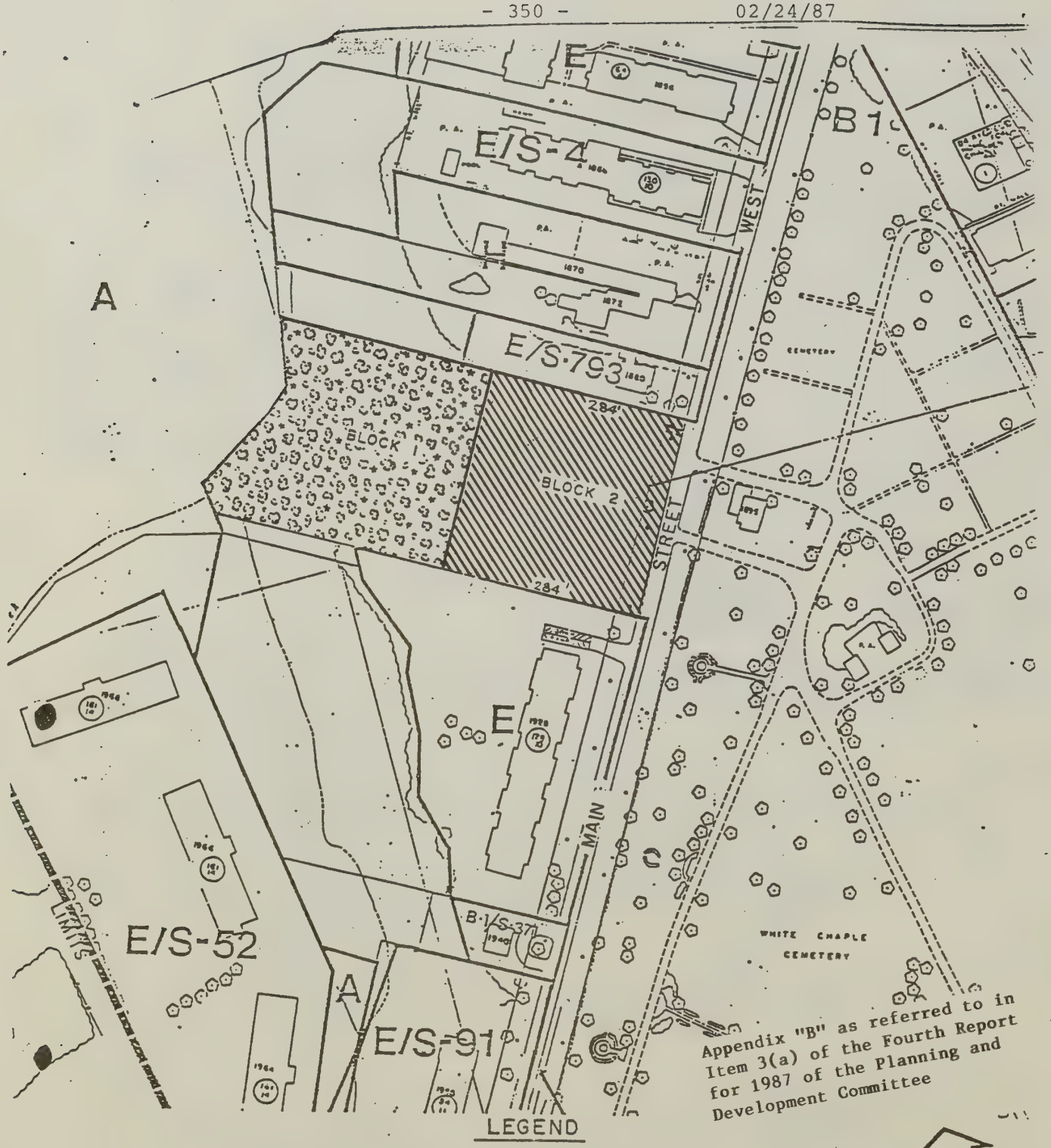
LEGEND

PROPOSED CHANGE IN ZONING FROM "AA" (AGR

"DE" (LOW DENSITY MULTIPLE DWELLINGS) DISTRICT.

Appendix "A" as referred to in Item 1 of the Fourth Report for 1987 of the Planning and Development Committee

ZA86-99



Appendix "B" as referred to in Item 3(a) of the Fourth Report for 1987 of the Planning and Development Committee

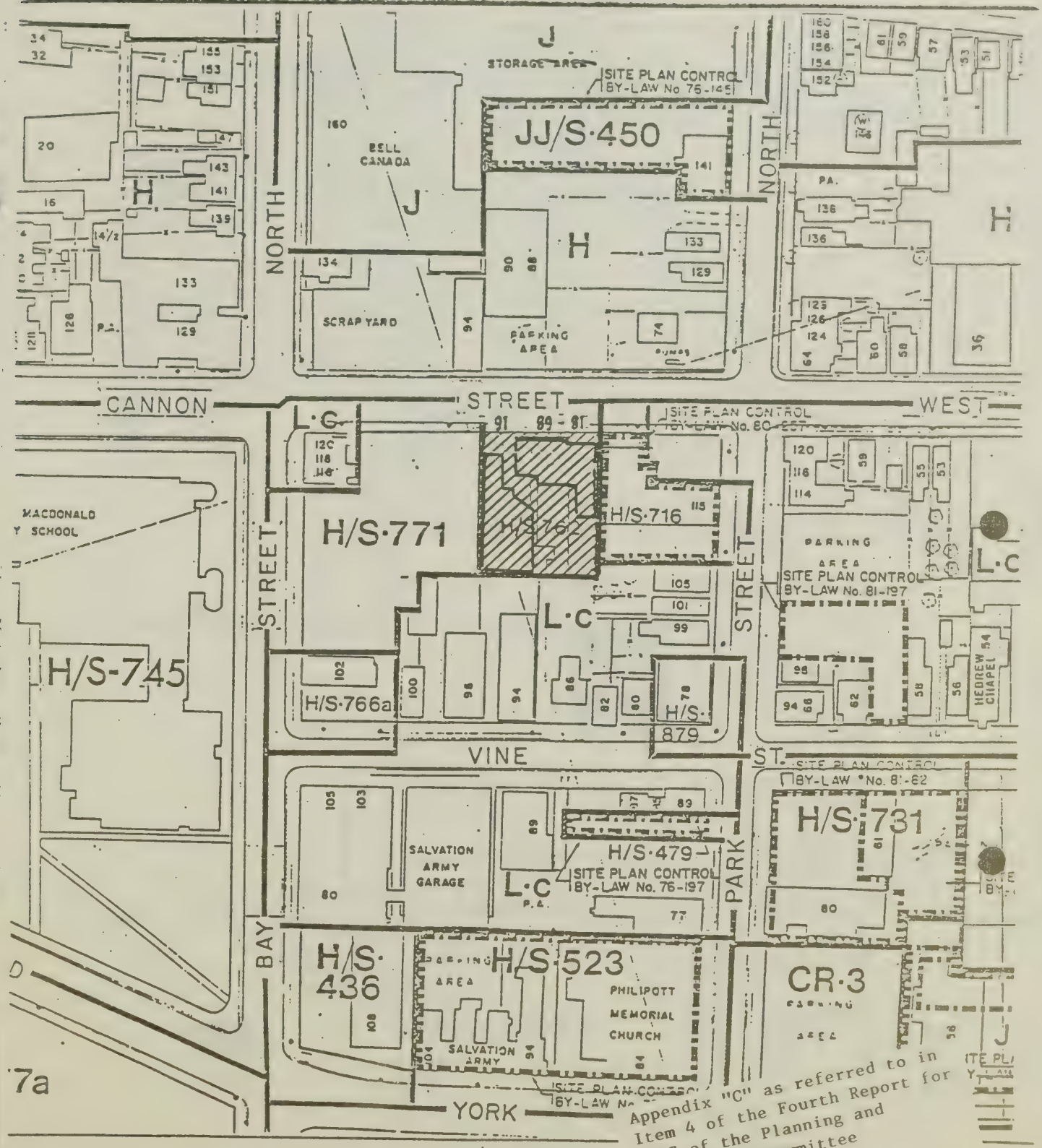
LEGEND

ZA86-103

.PROPOSED CHANGE IN ZONING FROM "B-1" (SUBURBAN AGRICULTURE AND RESIDENTIAL, etc.) DISTRICT TO:

BLOCK 1 — "A" (CONSERVATION, OPEN SPACE, PARK AND RECREATION) DISTRICT.

BLOCK 2 — "E" (MULTIPLE DWELLINGS, LODGES, CLUBS, etc.) DISTRICT.

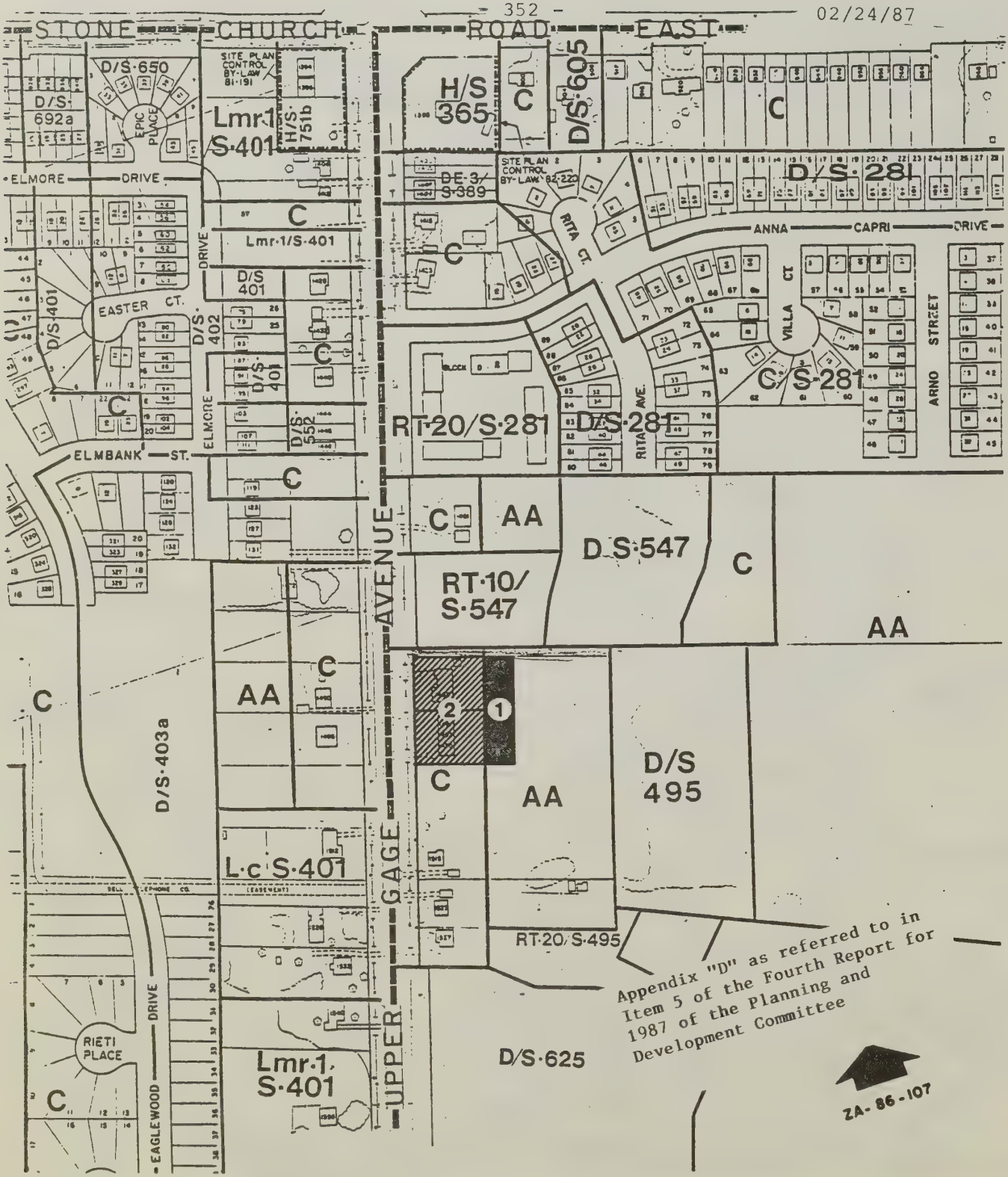


Appendix "C" as referred to in Item 4 of the Fourth Report for 1987 of the Planning and Development Committee

LEGEND

SITE OF THE APPLICATION

ZA 86-110



LEGEND

PROPOSED CHANGE IN ZONING FROM:

BLOCK 1 — "AA" (AGRICULTURAL) DISTRICT TO "DE-3" (MULTIPLE DWELLINGS) DISTRICT.

BLOCK 2 — "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT TO "DE-3" (MULTIPLE DWELLINGS) DISTRICT.

6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the grant to him:

(a) to pay municipal, realty and business taxes;
(b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
(c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
(d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
(e) to pay building permit application fee;
(f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
(g) to pay for the connection of all utilities to the premises;
(h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
(i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
(j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6.3 In consideration for the grant of the hereinbefore described land to the grantee, in addition to payment of the sale price to the grantor, the grantee covenants and agrees to and with the grantor:

1. That the grantee shall commence construction of a building, having a minimum building area of 8,500 square feet, upon the hereinbefore described land by not later than **October 3rd, 1987**

   Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

2. That the grantee shall complete construction of the said building not later than **October 3rd, 1988**

   The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

3. In the event that the grantee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the grantee covenants and agrees that the grantee shall sell the lands to The Corporation of the City of Hamilton, free and clear

Appendix "E" as referred to in Item 6 of the Fourth Report for 1987 of the Planning and Development Committee

of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the City, for the sale price herein, (without any interest) - less (a) the herein deposit; (b) the commission paid (if any) by the City to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.

6.5 The Purchaser agrees that the deed to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the grant to him:

(a) to pay municipal, realty and business taxes;
(b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
(c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
(d) ~~to pay Regional Special Charge (sewer impost fee), upon application for a building permit~~;
(e) to pay building permit application fee;
(f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
(g) to pay for the connection of all utilities to the premises;
(h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
(i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
(j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6.3 In consideration for the grant of the hereinbefore described land to the grantee, in addition to payment of the sale price to the grantor, the grantee covenants and agrees to and with the grantor:

1. That the grantee shall commence construction of a building, having a minimum building area of 8000 square feet, upon the hereinbefore described land by not later than ~~March~~ May 25, 1988

   Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

2. That the grantee shall complete construction of the said building not later than ~~March~~ May 25, 1989

   The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

3. In the event that the grantee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the grantee covenants and agrees that the grantee shall sell the lands to The Corporation of the City of Hamilton, free and clear

Appendix "F" as referred to in Item 8 of the Fourt Report for 1987 of the Planning and Development Committee

of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the City, for the sale price herein, (without any interest) - less (a) the herein deposit; (b) the commission paid (if any) by the City to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.

6.5 The Purchaser agrees that the deed to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

6.6. The purchaser agrees:

(a) that he shall enter into a site plan agreement with the City in a form satisfactory to the City under section 40 of The Planning Act (R.S.O. 1980 c. 379 as amended).

(b) The agreement shall include:

(i) The Purchaser's acknowledgement that the City has installed a berm approximately 4 feet high and approximately 20 feet wide along the rear of the property, which berm is shown as Part 8 on Reference Plan 62R-6932.

(ii) The Purchaser's acknowledgement that the City has landscaped the berm with grass, shrubs and trees to establish a visual barrier along the Queen Elizabeth Way frontage of the Purchaser's property, as illustrated on a landscape plan dated August 15, 1983 designed by F. Berndt of the Dept. of Public Works of the City of Hamilton.

(iii) The obligation of the Purchaser for himself, his heirs, successors and assigns, as the case may be, to:

(a) maintain and keep good care of the said landscaping including the replacement of same when necessary;

(b) not to remove the landscaping or the berm, and;

(c) not to alter the berm or the landscaping except to improve the landscaping.

(c) The Purchaser agrees to register the said agreement on title to the said land free and clear of all encumbrances at the time of the delivery of the City's deed of the said land to the Purchaser.

6.7. The Purchaser acknowledges that he is obliged in respect of the balance of the whole property (the bulk of his site) and the purchaser agrees he shall in respect of his development of the said balance of the whole property, apply for approval of the City under Section 40 of The Planning Act, R.S.O. 1980 c. 379 as amended, and receive the approval of the City, prior to obtaining his Building Permit.

6.8. The Purchaser also agrees that paragraphs 6.6 and 6.7 shall not merge upon the delivery of the City's deed herein, but shall remain in full force and effect.

6.9. The Purchaser acknowledges to the City that the Purchaser realizes he is obliged to apply for building and land use permit to the Ministry of Transportation and Communications because the whole property is adjacent to the Provincial Queen Elizabeth Way Highway.

6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the grant to him:

(a) to pay municipal, realty and business taxes;
(b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
(c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
~~(d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;~~
(e) to pay building permit application fee;
(f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
(g) to pay for the connection of all utilities to the premises;
(h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
(i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
(j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6.3 In consideration for the grant of the hereinbefore described land to the grantee, in addition to payment of the sale price to the grantor, the grantee covenants and agrees to and with the grantor:

1. That the grantee shall commence construction of a building, having a minimum building area of 5000 square feet, upon the hereinbefore described land by not later than ~~December 20, 1988~~ December 12th, 1987
Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

2. That the grantee shall complete construction of the said building not later than ~~December 20, 1988~~ December 12th, 1988
The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

3. In the event that the grantee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the grantee covenants and agrees that the grantee shall sell the lands to The Corporation of the City of Hamilton, free and clear

Appendix "G" as referred to in Item 9 of the Fourth Report for 1987 of the Planning and Development Committee

of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the City, for the sale price herein, (without any interest) - less (a) the herein deposit; (b) the commission paid (if any) by the City to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.

6.5 The Purchaser agrees that the deed to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

6.6. The purchaser agrees:

(a) that he shall enter into a site plan agreement with the City in a form satisfactory to the City under section 40 of The Planning Act (R.S.O. 1980 c. 379 as amended).

(b) The agreement shall include:

(i) The Purchaser's acknowledgement that the City has installed a berm approximately 4 feet high and approximately 20 feet wide along the rear of the property, which berm is shown as Part10 on Reference Plan 62R-6932.

(ii) The Purchaser's acknowledgement that the City has landscaped the berm with grass, shrubs and trees to establish a visual barrier along the Queen Elizabeth Way frontage of the Purchaser's property, as illustrated on a landscape plan dated August 15, 1983 designed by F. Berndt of the Dept. of Public Works of the City of Hamilton.

(iii) The obligation of the Purchaser for himself, his heirs, successors and assigns, as the case may be, to:

(a) maintain and keep good care of the said landscaping including the replacement of same when necessary;

(b) not to remove the landscaping or the berm, and;

(c) not to alter the berm or the landscaping except to improve the landscaping.

(c) The Purchaser agrees to register the said agreement on title to the said land free and clear of all encumbrances at the time of the delivery of the City's deed of the said land to the Purchaser.

6.7. The Purchaser acknowledges that he is obliged in respect of the balance of the whole property (the bulk of his site) and the purchaser agrees he shall in respect of his development of the said balance of the whole property, apply for approval of the City under Section 40 of The Planning Act, R.S.O. 1980 c. 379 as amended, and receive the approval of the City, prior to obtaining his Building Permit.

6.8. The Purchaser also agrees that paragraphs 6.6 and 6.7 shall not merge upon the delivery of the City's deed herein, but shall remain in full force and effect.

6.9. The Purchaser acknowledges to the City that the Purchaser realizes he is obliged to apply for building and land use permit to the Ministry of Transportation and Communications because the whole property is adjacent to the Provincial Queen Elizabeth Way Highway.

SCHEDULE 'A'

02/24/87

ESTIMATED MONTHLY 1987 B.I.A. BUDGET EXPENDITURES

January:		
Loan to Job Development Project 1		
- to close project	3,000	
- printing of reports	1,500	
Loan to Job Development Project 2		
- for initial startup - equipment, supplies salaries and benefits for 5 employees, etc.	20,000	
Loan to Section 38 Project		
- loan for closing project and printing of reports	3,000	
Salaries and Benefits for 2 B.I.A. employees		
- Manager and Street Cleaner	2,305	
Advertising - 1 promotion	2,525	
Parking - Free parking for promotion	1,850	
Rent, utilities, phone, supplies, insurance, etc.	1,000	
January Sub-total:		35,180
February:		
Salaries and Benefits for 2 B.I.A. employees		
- Manager and Street Cleaner	2,305	
Advertising		
- Radio (co-op program)	6,000	
- Outdoor sign	6,000	
Rent, utilities, phone, supplies, other, etc.	400	
February Sub-total:		14,705
March:		
Salaries and Benefits for 2 B.I.A. employees		
- Manager and Street Cleaner	2,305	
Rent, utilities, phone, supplies, other, etc.	400	
March Sub-total:		2,705

Appendix "H" as referred to in 13 (a) of the Fourth Report for 1987 of the Planning and Development Committee

April:		
Salaries and Benefits for 2 B.I.A. employees - Manager and Street Cleaner	2,305	
Advertising - 1 promotion	3,400	
Parking - Free parking for promotion	1,850	
Rent, utilities, phone, supplies, other, etc.	400	
April Sub-total:		7.955
May:		
Salaries and Benefits for 2 B.I.A. employees - Manager and Street Cleaner	2,890	
Advertising - 1 promotion	2,525	
Parking - Free parking for promotion	1,850	
Rent, utilities, phone, supplies, other, etc.	400	
May Sub-total:		7,665
June:		
Salaries and Benefits for 2 B.I.A. employees - Manager and Street Cleaner	2,305	
Rent, utilities, phone, supplies, other, etc.	400	
June Sub-total:		2,705
July:		
Salaries and Benefits for 2 B.I.A. employees - Manager and Street Cleaner	2,890	
Advertising - 1 promotion	3,450	
Parking - Free parking for promotion	1,850	
Rent, utilities, phone, supplies, other, etc.	400	
July Sub-total:		8,590

August:		
Salaries and Benefits for 2 B.I.A. employees - Manager and Street Cleaner	2,305	
Advertising - 1 promotion	2,525	
Parking - Free parking for promotion	1,850	
Rent, utilities, phone, supplies, other, etc.	400	
August Sub-total:		7,080
September:		
Salaries and Benefits for 2 B.I.A. employees - Manager and Street Cleaner	2,305	
Rent, utilites, phone, supplies, other, etc.	400	
September Sub-total:		2,705
October:		
Salaries and Benefits for 2 B.I.A. employees - Manager and Street Cleaner	2,890	
Rent, utilities, phone, supplies, other, etc.	400	
October Sub-total:		3,290
November:		
Salaries and Benefits for 2 B.I.A. employees - Manager and Street Cleaner	2,305	
Advertising - 1 promotion	3,175	
Parking - Free parking for promotion	1,850	
Christmas lighting	5,000	
Rent, utilities, phone, supplies, other, etc.	400	
November Sub-total:		12,730

December:

Salaries and Benefits for 2 B.I.A. employees - Manager and Street Cleaner	2,890	
Rent, utilities, phone, supplies, other, etc.	400	
December Sub-total:		3,290
Contingency Fund		5,000
1986 levies in arrears (to be kept by City Hall) - estimated $5,000 will be collected to add with existing Contingency fund of $5,000 to make a total contingency fund of $10,000		13,900
Less: loans to government grant projects will be paid back to the B.I.A. account		(27,500)
Christmas lighting grant program offered to B.I.A.s through the City of Hamilton (expected)		(1,000)
TOTAL 1987 B.I.A. BUDGET:		$99,000

SCHEDULE 'B'

02/24/87

Ottawa Street Business Improvement Association (B.I.A.)

— 326½ Ottawa St. N., Ham., Ont. —
L8H 4A1 (416) 544-5822

RECEIVED
DATE Jan 29/87
FILE NO. 80-0014.10
LETTER NO. 184-18
FILE ER
87/11/29 Spec
CSC

January 26, 1987

Mr. E.W. Kowalski
Director of Community Development
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

Attention: Sylvia Renshaw

Dear Sylvia:

Further to our letter of January 19, 1987, on behalf of the Ottawa Street B.I.A., I would like to submit our monthly 1987 B.I.A. budget as requested.

The enclosed estimated expenditures are listed on a per month basis. They include loans given to our various government funded projects. Monies to start up or finish off these projects take some time to arrive so money needed has to be loaned from the B.I.A. budget until it can be reimbursed when grant funding is received.

Based on these expenditures, I ask that we receive our first payment of $50,000 by the end of February and the remainder by early May.

If you require further information, please do not hesitate to contact me.

Sincerely,

Gerald Carrey
Secretary, Board of Directors
Ottawa Street B.I.A.

Enclosure

cc. Mr. P. Valeriano - Alderman, Ward 3
Mr. B. Hinkley - Alderman, Ward 3
Mr. D. Christopherson - Alderman, Ward 4
Mrs. G. Copps - Alderman. Ward 4

Appendix "I" as referred to in Item 13(c) of the Fourth Report for 1987 of the Planning and Development Committee

SCHEDULE 'C'

PROPOSED SCHEDULE OF PAYMENTS

FOR 1987

February 25	$50,000.00	less 1986 uncollectible levies
July 01	$25,000.00	
October 01	$24,000.00	
	$99,000.00	

Appendix "J" as referred to in Item 13(d) of the Fourth Report for 1987 of the Planning and Development Committee

SCHEDULE 'A'

02/24/87

Moorhead Fleming Corban McCarthy

DOWNTOWN HAMILTON ACTION PLAN
CO-ORDINATING COMMITTEE MEETING

January 28, 1987 - Revised February 3, 1987

DOWNTOWN ACTION PLAN - PHASE IV, STAGE 1

1. INTRODUCTION AND SUMMARY OF STAGE 1

The first stage of Phase IV of the D.A.P. nears completion. The mandate for this work was to review the D.A.P.'s recommendations for Phase IV, to assess the need and possibilities for improvements to the laneways, and to propose appropriate physical treatment.

A thorough review of the laneways in the downtown area was made, including extensive photographic coverage and physical inventory. The feasibility of implementing improvements was analyzed, as well as what types of physical treatment would be appropriate. Out of this a strategic approach to physical improvments of the laneways was developed and proposed plans were prepared.

The concept plans were reviewed by city staff from various departments, representatives of the B.I.A.'s involved, Bell Canada, Hamilton Hydro, the Parking Authority, and a number of private business people.

Much of the discussion during the meetings centered on issues that went beyond the anticipated scope of physical improvements. To answer to these concerns, an addendum to the Phase IV scope of work is being proposed.

The proposed concept for Phase IV work is described on the following pages and shown on the accompanying drawings. As the proposed improvements are less extensive than the original D.A.P. recommendations, the estimated costs of Phase IV will likely be defined in Stage 2 as less than projected in the D.A.P. The potentially unused portion of budget would allow consideration to proceed with other work seen as vital to the success of the downtown revitalization. This work is outlined in the proposed addendum.

Appendix "K" as referred to in Item 14(a) of the Fourth Report for 1987 of the Planning and Development Committee

2. DISCUSSION

In our analysis of the laneways within the D.A.P. boundary, we found that the physical condition of the existing laneway surfaces was generally good; in several instances excellent. For this and other reasons we did not find it appropriate to pursue the D.A.P.'s recommendations of repaving the lanes at this time. We do however, agree with the intent of the recommendations, that the laneways should be cleaned up and improved and that some have potential as a pedestrian passage in addition to their service function.

Although the D.A.P. study area encompasses a large portion of downtown, public laneways are located only in blocks directly north and south of King Street East. The proposed improvements are limited to these particular city blocks.

2.1 LANEWAY IMPROVEMENTS

2.1.1. SOUTH OF KING STREET EAST

Lighting of the laneways was deemed to be the most essential and basic physical upgrade. For those laneways that are exclusively service corridors, vandal resistant utility/security lighting is recommended as the extent of laneway improvements.

In laneways that serve as a pedestrian path as well as a service route, a level and quality of vandal resistant lighting suitable to a pedestrian walkway is recommended.

The public lanes on the south side of King Street East all fall into one of the above categories.

Moorhead Fleming Corban McCarthy

2.1.2 NORTH OF KING STREET EAST

The north side of King Street East presents interesting possibilities for development as the lanes are virtually continuous from Kresge's at Hughson Street to Wellington Street with one exception.
The laneway system is broken into two areas as determined by the characteristics and context of the lanes. The division of the two areas is reflected by the boundary between the Downtown Promenade B.I.A. and the International Village B.I.A. at Mary Street. The physical improvements are geared to suit the increased levels of pedestrian traffic and lane-related commercial activity in each area.

2.1.3 TREATMENT FOR THE WESTERN SECTION

Median Strip

In the west end of the study area from James Street North to Mary Street, three of the four laneways currently function as a pedestrian path as well as a service corridor. There has been a strong demand to improve the appearance and cleanliness of these areas in order to increase their use as a pedestrian connection from parking lots on King William Street to King Street. A large portion of these lanes is open to the north to parking lots. In instances such as this, a median strip of four foot width is proposed for the open side of the laneway. This median, raised to ±6" curb height, would provide a protected strip on which site furnishings would be located. Drops in the median would be incorporated at frequent intervals to accommodate strollers, wheelchairs, and water drainage.

The site furnishings incorporated into the median would primarily consist of light standards, bollards and tree planting.

Moorhead Fleming Corban McCarthy

02/24/87

Lighting

The light standards would be proper street lamps and thus be expected to withstand the usual conditions. The level of light in the lane would be appropriate for pedestrian use.

Laneway Entrance Treatment

Where laneway meets city sidewalk, an indication of the entrance to the lane would be made through signage, a different pavement, and/or other demarcation. The indication of the lanes at street level is important to identify the lanes as a pedestrian path as well as increasing visibility of the openings for police and service vehicles.

This entrance treatment would be continued through to Wellington street to reinforce the continuity of the lanes.

2.1.4 THE EASTERN SECTION

The lanes in the eastern portion of the system, from Mary Street to Wellington Street North, located in the International Village B.I.A. area, are characteristically different from the west. The majority of the lanes are enclosed by buildings on either side, limiting the opportunity for physical improvements. In order to strengthen the possibilities of renewal, a spot development is proposed in connection with laneway lighting, as opposed to the median strip development proposed further west.

Lighting

Although these lanes are not highly used as pedestrian routes, several buildings contain upper storey apartments which are accessed solely from the lane. Many buildings and apartments have accesses from the lane as well as King Street. To improve the safety of the lanes, pedestrian level lighting is recommended. In laneways bounded by buildings on both sides, the fixtures would be wall mounted as there is no room for poles.

Moorhead Fleming Corban McCarthy

2.2 'SPOT' DEVELOPMENT

A site that is of particular interest for a number of reasons is the public parking lot at Jarvis Street. This city-owned lot is unique in its location at the junction of Jarvis Street and the continuous laneway system running east and west. The property is also the only publicly owned King Street frontage within the International Village area.
It is proposed that as well as parking, this lot could facilitate a variety of other uses, both temporary and permanent. To this end it is recommended that the lot be developed as a multi-purpose paved square which would continue to accommodate parking on a daily basis. The square would be designed so that on a few occasions through the year, the lot could be closed off to parking and turned over to special events. This would in effect create a focal point for the eastern King Street commercial neighbourhood. Existing community-wide events could be extended to include this square and local promotional events could be centred here.

Although streetscape improvements were done on King Street, the sidewalks are very narrow and pedestrian space is limited in this uninterrupted traffic corridor. There is a need to supplement the existing pedestrian space, to reinforce the streetscape improvements, and provide the opportunity for pedestrian activities to take place.

Maintaining the existing parking capacity, the lot could be reworked to allow the introduction of regular pedestrian oriented activities adjacent to the laneways such as patio cafes, a weekly antique market, art exhibits or special sale days, etc.

Improved articulation of this parking lot and placement of a high profile focal point along King Street East will contribute significantly in drawing attention to this area as a pedestrian environment, attracting first time visitors and repeat customers as commercial activity is improved.

Another means of strengthening the interest of the area would be to improve the visual and physical connections to businesses operating beyond King Street frontage. This would add depth and diversity to the commercial strip of King Street. To this same end, encouraging the use of laneways would increase the potential of adjacent buildings and business.

Although many see the unrecognized potential of the International Village commercial strip and the undeveloped lands within two blocks of King Street, the area is economically depressed. It is still necessary for the public sector to be responsible for keeping the process of renewal going. The redevelopment of the lot is an opportunity to spark interest in the neighbourhood, increase the attractiveness of the area, and improve the potential of the unbuilt lands for redevelopment.

3. PROJECTED COSTS

Preliminary cost estimates have been done for the physical improvements as outlined above. More precise costing will be completed upon detail design in Stage II, as planned.

Estimates indicate that the proposed work will not consume the budget of $1,429,000. The projected costs as of February 3/87 revision are $934,000, leaving a residual of $495,000. These figures will be clarified through the work in Stage II.

This residual could allow progress on related work seen as vital to the success of the D.A.P. and the economic revitalization of the downtown area.

DOWNTOWN HAMILTON ACTION PLAN
COORDINATING COMMITTEE MEETING

JANUARY 28, 1987 - Revised February 3, 1987

DOWNTOWN ACTION PLAN
PHASE IV: STAGE 1 RECOMMENDATIONS SUMMARY

Section A: Recommendations for Physical Improvements

Study area includes James to Wellington Streets, King William to Main Streets.

1. Existing laneway surfaces to be retained wherever in good condition.

SOUTH SIDE OF KING STREET EAST

2. Utility/security lighting to be wallmounted for laneways used exclusively as service corridors.

3. Pedestrian level lighting to be wallmounted for laneways used as pedestrian routes and parking access as well as service corridor.

NORTH SIDE OF KING STREET EAST
West Section - James to Mary Streets

4. Utility/security lighting as for #2 above in the James/Hughson block.

5. Median strip with site furnishing and tree planting to be introduced from Hughson to Mary Streets.

6. Pedestrian level lighting to be incorporated into median strip development.

7. Laneway entrance treatment consisting of signage, paving or other demarcation to identify lanes.

East Section - Mary to Wellington Streets

8. Pedestrian level lighting, wallmounted as necessary, to be introduced.

9. Laneway entrance treatment as in #7 above.

Spot Development

10. Beautification of publicly owned parking lot at Jarvis Street to accommodate regular pedestrian activities and occasional special events, maintaining the existing parking capacity.

SCHEDULE 'B'

Moorhead Fleming Corban McCarthy

Landscape Architects
Recreation & Theme Park Planners

33 Britain Street
Toronto, Ontario
M5A 1R7

(416) 368-9238

June 19, 1986 (revised June 27, 1986)

Mr. E. W. Kowalski
Director
Community Development Department
71 Main St. West
Hamilton, Ontario

Re: Downtown Action Plan - Phase IV

Dear Ed:

Related to our meeting with the Downtown Action Plan Committee on June 11, 1986, the following is a detailed breakdown of our approach to the project based on the comments and concerns expressed at the meeting.

The objectives of this final portion of the entire Downtown Action project are difficult to clarify in detail. Accordingly, we propose a phased approach to the project with subsequent phases dependent on the Committee's acceptance of the preceding phase.

STAGE I

(a) Detailed review of the Phase IV recommendations in the original Du Toit Downtown Action Plan Study.

(b) Thorough on site review, photographic coverage and physical inventory of all alleyways, service lanes and parking lots in the study area.

(c) Review of other similar situations within the study area not specifically indicated in the Du Toit Study as well as directly adjacent situations which may be important for continuity but which technically do not fall within the Downtown Action Plan Boundary.

(d) Review the implications of the City of Hamilton undertaking work in the alleyways and edges of parking areas related to the obvious necessity of undertaking aspects of the work on private property.

(e) Review the above implications with all appropriate departments of the City of Hamilton to ascertain the various feelings, criteria and regulations concerning feasibility of such proposed work.

Appendix "L" as referred to in Item 14(b) of the Fourth Report for 1987 of the Planning and Development Committee

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(f) Generally, undertake a ranking of the alleyway, service lane and parking lot areas based on the proceeding and ranked according to such consideration as:

i. Shear physical possibility to undertake any work (width, projections, utility poles, overhangs, etc.).

ii. Degree of existing and future vehicular service requirement.

iii. Impact and potential of pedestrian circulation.

iv. Potential of possible retail relationships to given alleyway situations.

v. Actual ability to screen and improve appearance of parking lots under consideration.

(g) Present the above ranking to the Downtown Action Plan Committee and other interested Council Members and staff to mutually assess the merit and feasibility of various concept ramifications.

(h) Pepare sketch design proposals for the Project as as follows:

i. Actual design proposals for areas capable of receiving any treatment.

ii. Resolution of what is actually physically possible related to agreements such as work on private land.

iii. A clear overall assessment of the potential effects and expectations for the areas to be implemented, referenced to an overall master plan.

iv. Meet in conjunction with appropriate City staff and affected private owners toascertain their attitudes and acceptance of the conceptual proposals.

v. With the results of the conceptual Master Plan Study and meetings with affected private property owners, we would present our final recommendation to the City for approval to proceed to Stage II.

Moorhead, Fleming, Corban & McCarthy

(i) For this stage of the work, we would suggest a total for fee and expenses of $25,500.00 and a study time of approximately 10 weeks.

STAGE II

(a) Assuming approval to proceed, this stage would generally relate to detail refinement leading to overall acceptance of the project.

i. Establish priorities and ranking of proposed work to be undertaken.

ii. Develop logic for which areas should be implemented in 1987, with the remainder in 1988.

iii. Corelate construction cost estimates and available funds to proposed scope of work to be undertaken. Make adjustments to scope as required.

iv. Present, review and receive mandate of Downtown Action Plan Committee for design, scope, costs, phasing, etc.

v. Make presentation at a public meeting and evaluate comments received.

vi. If required, undertake a limited number (maximum 5) of meetings with public groups or individuals, organized by the City of Hamilton representatives.

(b) Assuming this detail design portion of the project is accepted by the Committee and Council, we would proceed to Stage III.

(c) For this phase of the work we would suggest a total for fee and expenses of $15,500 and a study period of 2 months (this is intended to allow time for scheduling of various meetings and the civic approval process.

STAGE III

(a) Assuming direction to proceed with this stage, we would essentially provide with detail implementation drawings, specifications and tender documents.

Moorhead Fleming Corban McCarthy

(b) Assuming the scope of work, construction budgets and split phasing (1987 - 1988) is as now understood, we would suggest a total for fee and expenses of $45,000.00.

STAGE IV

(a) Supervision of the work would be discussed at the appropriate time and likely keyed to the work to be implemented at a given construction period.

Although brief, the preceding description of proposed stages is intended to outline a step by step approach to the project with the intent to thoroughly agree and receive approval on the implications of each before proceeding to the next. As mutually discussed, this phase will obviously be difficult to achieve related to already apparent complications. As your proposed consultants, we will require as clear a decision making process as possible and hopefully an individual contact person who will provide coordination and help with the whole question of private/public construction and approvals as well as assisting with the organization, approval, presentations, and staging required.

Please contact me if I can be of further assistance and I would be pleased to comment on or clarify the specific intent of this proposal.

Yours very truly,

MOORHEAD FLEMING CORBAN McCARTHY

Steven Moorhead

SM/ss

REPORT OF THE LEGISLATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its **FIFTH** Report for 1987 and respectfully recommends:

1. (a) That the installation of all commemorative plaques on civic buildings and structures be subject to the consideration and recommendation of the Legislation Committee and approval of City Council.

   (b) That a general policy be established whereby only the names of the Mayor and Members of Council (in ward order) in office at the time of an official opening or dedication, be included on any commemorative plaque.

   NOTE: For the information of the members of City Council, if there are any special circumstances which merit the inclusion of additional names, the Legislation Committee will review same and submit a recommendation for consideration by City Council.

2. That a gold civic ring be awarded to Sergeant George West of the Royal Hamilton Light Infantry (Wentworth Regiment) who recently won a national championship in shooting and was presented with the Queens Medal.

3. That the City of Hamilton formally welcome Astronaut Steve MacLean in the City Council Chambers on Tuesday, March 3rd followed by a light luncheon/reception for approximately 75 people.

   NOTE: For the information of the members of City Council, officials of the Board of Education are working with other organizations in providing a programme for Astronaut MacLean and have allotted approximately one hour on Tuesday, March 3rd for him to be received at City Hall. It is proposed that the invited guests be members of Council, Board of Education officials and the media. The cost of the reception estimated at $350 to be charged to Account No. 0375-1002 (Reception - City Hall).

4. That permission be granted to the Hamilton Professional Fire Fighters Association to hang a banner on the City Hall balcony from 1987 May 18 to June 1.

   NOTE: This banner will advertise the Fire Fighters Annual Toll Plaza on Friday, June 5 and Saturday, June 6, 1987 to raise money to purchase and install state-of-the-art equipment for the Fire Fighters Burn Treatment Centre located in the soon to be completed Hamilton General Hospital.

5. That permission be granted to the Jewish Community Centre to use the Council Chambers on Sunday, 1987 April 26 at 8:00 o'clock p.m. for the Annual Max Rotman Humanitarian Awards Ceremony.

6. That permission be granted to the Lancaster Bomber Restoration Group of the Canadian Warplane Heritage to place a pictorial display of the Lancaster Bomber Group on the second floor of City Hall for a period of one month.

7. That permission be granted to the MacNab Street Y.W.C.A. to use the City Hall forecourt on Thursday, 1987 June 18 from 9:00 o'clock a.m. to 3:30 o'clock p.m. to hold their annual Strawberry Festival.

8. That permission be granted to the Canadian Red Cross Society to display a banner advertising Red Cross Month on the City Hall balcony from 1987 March 1 - March 31.

9. (a) That the City continue with just one "No Smoking" Information Officer.

   (b) That the present incumbent's contract be extended for a further period of six months from 1987 May 22.

   NOTE: For the information of the members of City Council, the Legislation Committee has requested that the Human Resources Department review the salary of this position to reflect its worth.

10. That the following resolution from the City of Windsor requesting the Federal Government to rescind the special surtax on automobiles with air conditioning be endorsed.

    WHEREAS the Federal Government imposed a special surtax of $100 in 1977 on all automobiles purchased with air conditioning in response to the prevailing energy crisis; and

    WHEREAS this tax was intended to promote the purchase of vehicles without air conditioning which were deemed to be more fuel efficient; and

    WHEREAS studies have concluded that use of air conditioning with the vehicle's windows closed, particularly during highway driving, can be more fuel efficient; and

    WHEREAS this tax has not been shown to reduce the consumer's preference for purchasing vehicles equipped with air conditioning with this equipment considered by many to be a necessity rather than a luxury in many Canadian climates with the result that it is included as standard equipment on many models; and

WHEREAS this ineffective tax has continued long after the end of the severe energy crisis as a supplement to the Federal Governments's other revenue sources; and

WHEREAS this tax impacts also on municipalities which must purchase air conditioned vehicles for various services resulting in another example of double taxation;

BE IT THEREFORE RESOLVED that the Prime Minister and the Minister of Revenue Canada **BE REQUESTED** to rescind the special surtax on automobiles equipped with air conditioning, and further, that a copy of this resolution be sent to local Members of Parliament, the Association of Municipalities of Ontario and the Federation of Canadian Municipalities for their support.

11. That the new City of Hamilton Flag Pin, replacing the Hamilton Maple Leaf Pin, be given to visitors to Hamilton.

    NOTE: For the information of the members of City Council, a Sub-Committee appointed by the Legislation Committee reviewed the concept of changing the Maple Leaf Pin. Following cost comparisons on various styles, it was realized that the new Hamilton flat pin is less expensive than the Maple Leaf Pin. It is the intention to also have an information card given out with each pin.

12. That an order be placed with Balfour Canada, Milton, for Men's and Ladies' Championship Rings for 1987, in accordance with specifications issued by the Director of Purchasing and Vendor's tender, at the following prices:

Gold Men's	$172.00 each
Gold Ladies'	$154.25
Sterling Silver Men's	$ 49.00
Sterling Silver Ladies'	$ 45.00

    Plus Diamond and Ruby chips as required
    Plus 7% Provincial Sales Tax

    NOTE: This supplier was selected from the recent tender call by the Sub-Committee appointed by the Legislation Committee to review the design of the Civic Championship Rings. The men's ring is a new design from the previous rings that have been given out. The design of the ladies' ring will remain the same. Funds provided in Civic Rings and Medallions, Account #0373-1001.

13. That the City host a luncheon for the Ontario and Canadian College Women's Basketball Championships at Mohawk College on Friday, 1987 March 27, for 150 people at an approximate cost of $1,327.50.

    NOTE: Funding for this event to be charged to Account No. 0373-1003, Special Civic Receptions and Delegation Hostings.

14. That approval be given for a maximum of 4 City Council members to attend the opening of the First Cultural Exchange with Hamilton's newly twinned City of Flint, Michigan, to take place on Sunday, 1987 March 1 at the Flint Institute of Arts.

    NOTE: For the information of the members of City Council, the estimated cost per person for attending this event is $300.

15. That leave be granted to introduce the following bills:

    Bill E-5 A By-law to Amend the City of Hamilton Procedural By-law 82-203 to Allow City Council meetings to continue past 11:00 o'clock p.m.

    Bill E-6 A By-law to Amend Market By-law 81-180 respecting Stallholders' Market Hours.

    Bill E-7 A By-law to Repeal By-law 87-44 to Amend By-law 79-323 to Provide for the Issuance of a "Special Owner's Licence".

Respectfully submitted,

ALDERMAN V. J. AGRO, CHAIRMAN
LEGISLATION COMMITTEE

S. Reeder
Secretary
1987 February 16

REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its FOURTH Report for 1987 and respectfully recommends:

1. Approval of Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to 1987 February 10, as set out on the list attached hereto as Schedule "A".

2. Approval of the awarding of the following contracts:

(a) J. P. Hammill & Son Limited, Guelph, Ontario

For the supply and delivery of Fire Department Fatigue Uniforms, as and when required during 1987, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

- Approximately 1,036 Uniform Trousers at $11.25 each
- Approximately 121 Unlined Uniform Jackets at $15.80 each

7% Provincial Sales Tax extra.

Note: Lowest of seven (7) tenders received. Funds provided in Uniform Clothing and Accessories Account No. 0341-0127.

(b) Firth Bros. Ltd., Hamilton, Ontario

For the supply and delivery of Uniform Clothing, Fire Department, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender, as follows:

Approximate Quantities:

2	- Senior Officers' Tunics	$105.50 each
26	- Junior Officers' Tunics	102.50
108	- Men's Tunics	102.50
262	- Officers' & Men's Trousers	31.00
84	- Officers' & Men's Raincoats	75.00
84	- Officers' & Men's Parkas	57.00
4	- Female Slacks	31.00

7% Provincial Sales Tax extra

Note: Second lowest of three (3) tenders received. Funds provided in Uniform Clothing and Accessories Account No. 0341-0127.

Respectfully submitted,

ALDERMAN M. KISS, CHAIRPERSON,
PERSONNEL COMMITTEE.

E. A. Simpson, Secretary,
1987 February 18.

SCHEDULE "A"

Referred to in Section 1 of the Fourth Report of the Personnel Committee.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Tony Assenza	Motor Mechanic	Central Garage Div. of the Dept. of Public Works	replacing Mr. Charles Guthro - promoted	D-17	$13.347 per hour	87/01/25
Mrs. Rosanne Belliveau	Loss Control Clerk	Human Resources Centre	returning to perm. position (was replacing Miss V. Broadribb - temp. promoted)	108	$21,672.56 per annum	87/02/02
Mrs. Jacquelyn Buckle	Junior Accounts Payable Clerk	Treasury	replacing Ms. Janice Goodwin - promoted	A-4	$403.52 per week	87/01/26
Mr. Larry Cowles	Unit Supervisor	Culture and Recreation	returning to perm. position (was replacing Mr. Gary Cowles - off sick	11C	$34,526.44 per annum	87/02/02
Ms. Mary Hammond	Receipts Clerk IV	Treasury	replacing Ms. Marilyn Coy - promoted	E-5	$406.27 per week	87/02/02
Ms. Sarah Haynes	Lifeguard I	Culture and Recreation	replacing Mrs. Karen Sauer - promoted	CH-5	$342.32 per week	87/01/12
Ms. Eileen Maloney	Junior Payroll Clerk	Treasury	replacing Mrs. Jennie Dmetrichuk - retired	A-5	$432.55 per week	87/01/26

Prepared 1987 February 10

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Harry Meloche	Rink Attendant	Culture and Recreation	returning to perm. position (was replacing Mr. James Pearson - temp. promoted)	D-5	$11.161 per hour	87/01/12
Mr. James Pearson	Equipment Repairman Helper	Culture and Recreation	returning to perm. position (was replacing Mr. Colin Barty - illness)	D-7	$11.287 per hour	87/01/12
Mr. Paul Smith	Yard Attendant	Public Works	additional staff as approved	D-11	$11.586 per hour	87/01/26
Mr. Larry Taggart	Rink Attendant	Culture and Recreation	returning to perm. position (was replacing Mr. Vic Ferguson -temp. promoted)	D-5	$11.161 per hour	87/01/08
Ms. Donna Thrasher	Typist Clerk II	Treasury	replacing Ms. Sandra McMurrich - promoted	E-2	$312.39 per week	87/02/03
Ms. Liana Wehrmann	Typist Clerk II	Treasury	replacing Ms. Ann Boyajian - transferred	E-2	$312.39 per week	87/01/26
Mr. Robert Aldridge	Truck Driver (Districts)	Public Works	replacing Mr. Richard Campanella - promoted	D-7	$11.287 per hour	87/02/02

Prepared 1987 February 10

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Thomas LaForme	Truck Driver (Districts)	Public Works	replacing Mr. Gaetano Civello - retired	D-7	$11.287 per hour	87/02/02
Mr. Fred Loft	Truck Driver (Districts)	Public Works	replacing Mr. Peter Toth - retired	D-7	$11.287 per hour	87/02/02
Mr. Paul Mooers	Truck Driver (Districts)	Public Works	replacing Mr. William Farraway - retired	D-7	$11.287 per hour	87/02/02
Mr. Bruce Munday	Truck Driver (Districts)	Public Works	replacing Mr. Thomas Mackey - retired	D-7	$11.287 per hour	87/02/02
Mr. Richard Pierce	Truck Driver (Districts)	Public Works	replacing Mr. John Bovaird - promoted	D-7	$11.287 per hour	87/02/02
Mr. Terry Short	Truck Driver (Districts)	Public Works	replacing Mr. Cecil Brown - resigned	D-7	$11.287 per hour	87/02/02
Mr. Terry Stephenson	Truck Driver (Districts)	Public Works	replacing Mr. Joseph Baswick - retired	D-7	$11.287 per hour	87/02/02
Mr. Thomas Warburton	Truck Driver (Districts)	Public Works	replacing Mr. G. Saunderson - deceased	D-7	$11.287 per hour	87/02/02

Prepared 1987 February 10

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Richard Butterworth	Junior Architect	City Architect's	resigned	1 year & 1 month	87/02/06
Miss Christine Karnay	Key Punch Operator I	Treasury	resigned	6 years & 7 months	87/01/30
Mr. Allan Ripley	Motor Mechanic	Central Garage Division of the Dept. of Public Works	resigned	8 1/2 months	87/01/23

Prepared 1987 February 10

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Miss Victoria Broadribb	Personnel Clerk I (temporary)	Human Resources Centre	replacing Miss Karen Neske - temp. promoted	11Ø	$23,Ø59.92 per annum	87/Ø2/Ø2
Mr. Stephan Booth	Unit Supervisor (temporary)	Culture and Recreation	replacing Mr. Larry Cowles - temp. promoted	11C	$28,848.Ø4 per annum	87/Ø1/26
Mr. Danny Coppolino	Rink Attendant (sick relief)	Culture and Recreation	replacing Mr. Robert Morton - on W.C.B.	D-5	$11.161 per hour	87/Ø1/14
Miss Maryann De Gooyer	Stenographer III (temporary)	Public Works	replacing Miss Jeannie Dodman - temp. promoted	E-3	$333.Ø4 per week	87/Ø1/19
Mrs. Gayle Hamilton	Pool Supervisor (temporary)	Culture and Recreation	replacing Mrs. Sue Hamilton - maternity leave	11ØB	$21,211.32 per annum	87/Ø2/Ø2
Mr. Ken Reid	Rink Attendant (sick relief)	Culture and Recreation	replacing Mr. Don Dilks - off sick	D-5	$11.161 per hour	87/Ø1/14
Mrs. Norma Wright	Information Desk Clerk (temp. part-time)	Convention Centre Division of H.E.C.F.I.	returning to previous position	CC-36	$5.55Ø per hour	87/Ø1/26

Prepared 1987 February 1Ø

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM TEMPORARY POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE

NO TERMINATIONS FROM TEMPORARY POSITIONS AT THIS TIME

Prepared 1987 February 10

REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Finance Committee presents its THIRD Report for 1987 and respectfully recommends:

1. In accordance with Section 243 of the Municipal Act, R.S.O. 1980, Chapter 302, which requires the Treasurer of the Municipality to submit to Council, prior to February 28th each year, a statement of remuneration and expenses of Members of Council and members of other bodies in respect of certain services in the prior year, submitted herewith as Schedule "A" is a statement of the Treasurer respecting remuneration and expenses paid to Members of Council and members of other bodies for the year 1986.

2. (a) That approval be granted to lease lands on James Street North for a pedestrian walkway measuring approximately 5 feet by 158.77 feet from Sang Woon Park for a period of one year commencing January 1 to December 31, 1987, at a rental of $600 per year including taxes estimated at $400 per year. The Leasee shall have the option to renew this agreement for a further one year period at the same rent, terms and conditions.

   (b) That the City Solicitor be authorized to prepare the necessary lease documentation.

   NOTE: This is a further renewal of the original lease approved by City Council in April 1979. The land is to provide a pedestrian access to and from the off-street parking lot on Mulberry Street west of James Street North operated by the Parking Authority of the City of Hamilton.

3. Approval of a Change Order to reduce the contract with St. Lawrence Cement Inc., operating as Dufferin Construction Company, for the construction of a parking lot at the south-east corner of Wellington Street North and Birge Street from $52 504.39 to $40 299.56.

   NOTE: In adopting Item 5 of the 20th Report of the Finance Committee, City Council on October 14, 1986, approved the awarding of a contract to St. Lawrence Cement Inc., operating as Dufferin Construction Company to supply all the necessary labour and equipment to construct a parking lot at the south east corner of Wellington Street North and Birge Street, at a cost of $52 504.39 in accordance with our purchase agreement with Stelco Inc. and the creation of parking facilities in the area to serve the Hamilton General Hospital.



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